

Law Enforcement News

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Drug testing: the weeding-out process

Industry cleans up its act, but casual users may still beat the system

By Jacob R. Clark

On a traditional classroom true-false test, it matters not whether the test-taker marks "true" when the correct answer is "false" or marks "false" when the correct answer is "true"—when the tests are graded, the answer is recorded as incorrect. Such is not the case, however, in the rapidly expanding field of law enforcement drug testing, where not all wrong answers are equal. A false-positive response—"true" when the correct answer should be "false"—is generally deemed to be a more serious mistake than a false-negative. Thus, despite significant improvements in drug testing in the past few years, there are those who contend that drug screening is far from being a panacea when it comes to the oft-stated goal of assuring a drug-free police department.

A pair of related decisions last March by the U.S. Supreme Court all but gave the green light for law enforcement agencies to implement drug-testing programs, and since those rulings, more departments have begun to subject their personnel to mandatory, often random, unannounced drug tests.

Palpable Improvement, But...

Those agencies that only recently began to plan or implement urinalysis drug screening have been able to board the bandwagon at a time when the drug-testing industry has come a long way in

improving the efficiency and effectiveness of the service it provides. As recently as 1988, urinalysis drug-testing methods were hammered by criticisms of inaccuracy and shaky quality control. A particular focus of such criticisms was the widely-used enzyme immunoassay test, a first-line screening method that was said to be unreliable because it often cross-reacted with other substances—poppy seeds, herbal teas, over-the-counter antihistamines, prescription drugs—to produce false-positive test results indicating prior use of illegal drugs.

Since that time, however, the drug-testing industry appears to have cleaned up its act, even amid booming business. Few of the scientific and legal experts contacted by LEN dispute the accuracy of the tests—provided that technical procedures, quality controls, and safeguards against tampering are in place. That's not to say, though, that some do not have lingering reservations about the tests, which only indicate the presence of metabolites of the drug in the system and do not measure on-the-job impairment.

Moreover, even the best confirmatory urine tests will only detect the presence of drugs within a certain time after use—a few days for cocaine, or a few weeks for marijuana—while increases the likelihood that a casual, once-or-twice-a-year drug user may slip

through the drug-testing net, and that those detected will be predominantly marijuana smokers.

Accentuate the Positive

It is also conceivable that even after spending thousands of dollars on drug-testing programs, police agencies might still have some drug-using officers within the ranks because the threshold levels programmed into drug-screening equipment tend to be set on the high side in order to avoid false-positive readings, such as might be generated by the passive inhalation of marijuana smoke in a room where the drug is being used by others.

"The whole industry is geared toward avoiding false positives," observes Paul Brunswick, vice president of Compuchem Inc., a North Carolina drug-testing firm. "That's the great fear that nobody wants to have happen."

Adds Dr. Bryan Finkle, a forensic toxicologist with the University of Utah: "To have an effective program, you cannot have a high percentage of false negatives, because very soon the people who are being tested realize that they can be positive and won't be detected. It sends the wrong message and [is] indicative of an ineffective program. But my own belief is there is perhaps not as much concern as there might be because the feeling is that a false negative is not that bad because it does not

harm, whereas a false positive can have catastrophic results for somebody."

Just how well does the drug-testing industry do? A blind sampling of 31 labs conducted in 1988 by the American Association of Clinical Chemists found a 97-percent accuracy rate, with no false positives and 45 false negatives. Dr. Christopher Frings, a spokesman for the association, attributed the false negatives to low concentrations of drugs in many of the samples.

"If they were really [from] addicts or people abusing drugs," Frings told LEN, "most of those samples would have had a lot higher concentrations."

"You obviously don't want any false positives or false negatives," he added. "You're willing to put up with a few more false negatives than false positives, but you figure if you're going to test people from time to time, if you do get a false positive or a false negative, you're not going to have that happen again. The only time you're going to see false negatives are when the concentrations [of drug metabolites] are very low—right close to the threshold. You don't see that too often in a real population of people using drugs."

Cost-Benefit Considerations

Throughout law enforcement as well, concern for false positives prevails over that for false negatives, and any lingering questions about the accu-

racy of urinalysis drug screening have done little to deter police administrators from instituting testing programs—and, in the case of nearly every major police agency, from mandating dismissal for officers whose urine samples are confirmed positive for drugs. Commonly citing the rationale that those who enforce the law cannot be permitted to break it, police officials suggest that the role of tests as a deterrent against illegal drug use by police officers far outweighs their costs.

The extent to which testing can deter drug use is in part a matter of timing. An official of the Miami Police Department, where drug testing is done during annual physicals, said it was "hard to say" whether drug-testing ensures a drug-free police agency since the officers know approximately when they will have to submit to testing.

"Everyone knows about what time the physical starts each year," said Sgt. Ed Croughwell of the agency's Personnel Maintenance Detail. "I know people have enough sense to lay off any drugs during that period. Since we don't have a year-round random sampling, everyone knows that come April or May, we start the physical, which means drug testing. Everyone knows what the time limits are for detecting drugs."

Lieut. Edmond Gagnon of the Los Angeles Police Department's medical

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LEEPing lizards! Police scholarships may be back

A renaissance may be in the offing for the Law Enforcement Education Program (LEEP), which in the 1970's helped thousands of American police officers to get a college education. Legislation was introduced in the both the U.S. House and Senate on March 6 to provide \$30 million in college scholarships to in-service law enforcement and corrections officers who have at least two years of prior service, with the stipulation that they agree to serve in law enforcement for a certain period of time after completing their studies.

The Law Enforcement Scholarship Act of 1990, sponsored by Representative Edward F. Feighan (D.-Ohio) and Senators Bob Graham (D.-Fla.) and Daniel P. Moynihan (D.-N.Y.), would

disburse the Federal funds to states, which would channel the money to eligible law enforcement agencies. The bill is seen by some observers as a response to legislation introduced last year to establish a national Police Corps.

The Police Corps bill, which would provide financial assistance to college students who agree to serve at least four years in law enforcement agencies, has been criticized as being too expensive and for overlooking the educational needs of in-service officers.

"Law enforcement organizations are convinced that officers who have pursued college educations are better equipped to handle the difficult situations faced by today's law enforcement community. We must ensure that

every officer who wants to pursue an education can afford to do so.... The least we can do for law enforcement officers who desire to further their education is to see that they can afford to do so," Feighan said in introducing the bill.

The states would determine eligibility for the scholarship program, "although emphasis would be given to undergraduate study, and to members of underrepresented racial, ethnic, and gender groups," said Feighan. The states would also be required to match Federal funds by a 60-percent-Federal to 40-percent-state ratio. Eighty percent of the Federal funds would be awarded to states based on the number of sworn, active-duty law enforcement personnel; the remaining funds would be disbursed to states that have shortages of law enforcement personnel and those with a need to improve the overall educational status of their law enforcement agencies.

Feighan said his proposal, which is nearly identical to the Senate version, has the support of the Fraternal Order of Police, the Police Executive Research Forum, the National Association of Police Organizations, and the International Brotherhood of Police Officers.

The measure also drew favorable reviews from experts in law enforcement education contacted by LEN, some

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Less is Mo.

Missouri tries again to hike minimum training

A Missouri legislator has reintroduced a bill that would increase the number of basic training hours required for peace-officer certification, from the current 120 hours to 240 hours next year, with subsequent yearly increases to bring the state's basic training requirement near the national average of 420 hours.

The bill, introduced for the fourth time in January, was approved by the Missouri Legislature's Committee on Civil and Criminal Justice in March and is awaiting House debate, said its sponsor, Rep. Doug Harpool (D.-Springfield). The legislation, he said, has the full support of the Missouri Police Chiefs Association, the Missouri Department of Public Safety, and the Missouri Sheriffs' Association.

"Our state laws require greater training to become a manicurist or a hairdresser than it does to be a peace officer. I thought that was an absurd proposition," Harpool told LEN. He said the state ranks lowest in the nation in the number of training hours required for peace officer certification. Alaska is next-to-last, but still requires 240 hours of basic training for its peace officers; Hawaii tops the list, with training in excess of 780 hours required for peace officer certification.

"While I support giving greater powers to law enforcement, I think we

owe it to them to properly train them in the new techniques, especially with the new obligations we're forcing on them in the drug fight," said Harpool.

Harpool's measure, which would become effective next January, would raise the basic training requirement to 240 hours by October, with a goal of bringing the requirement up to 420 hours by 1994. Peace officers certified prior to Jan. 1, 1990, would be exempted from the increases. The cost of the training, currently estimated by Harpool at about \$1 million per year, would be covered through a proposed \$2 fee levied against convicted offenders in cases resulting from violations of "general criminal laws of the state, including infractions, or violations of county or municipal ordinances."

Harpool said previous attempts to win passage of his bill failed in the face of tight fiscal resources and other "priority issues" that took command of the legislative spotlight. He said he hopes to have the bill attached as an amendment to another measure in order to ensure passage this year.

The Missouri Peace Officers Standards and Training Program, administered by the state Department of Public Safety, has only been in existence since 1988 and that is one reason why training requirements lag behind other

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What They Are Saying:

"Our state laws require greater training to become a manicurist or a hairdresser than... to be a peace officer. I thought it was an absurd proposition."

State Rep. Doug Harpool of Missouri, who is sponsoring another legislative attempt to increase the mandated minimum training for peace officer certification in the state. (1:4)

Around the Nation

Northeast

CONNECTICUT — The number of drivers who have lost their licenses is continuing to rise, officials said recently, citing a new law that allows police to confiscate a driver's license immediately if the driver refuses to be tested for drunken driving, or if the blood-alcohol exceeds .10 percent. The old law required a drunken-driving conviction before a license could be suspended.

DELAWARE — State trooper Kevin Mallon, 24, was killed March 20 when his cruiser ran off the road to avoid a collision and then hit a tree. A burglar alarm Mallon was on his way to investigate proved to be faulty, officials said.

MARYLAND — A University of Maryland study says 10 percent of drivers treated after accidents had cocaine or PCP in their systems. The report also said that half of those also used alcohol within four hours of the accidents.

The U.S. Justice Department has returned to Prince George's County \$1.2 million in drug money seized by county officers in 1986. County officials said that \$791,000 would be used to buy 55 new patrol cars and \$243,000 would go to drug education and after-school programs.

A highly decorated state trooper was shot and killed March 29 after stopping what turned out to be a stolen car for a speeding violation. The body of Cpl. Theodore D. Wolf was found by an off-duty Washington, D.C., police officer who became suspicious when he saw the cruiser's flashing lights but saw no vehicles nearby. Police launched a massive search in Maryland and Delaware for two suspects.

MASSACHUSETTS — Lawrence police officer Thomas Duggan, 47, died earlier this month from injuries suffered when he was beaten with a baseball bat during a traffic dispute. Duggan was the first city police officer killed on the job since 1953.

Twenty-one reputed leaders of New England organized crime organizations were indicted this month by a Federal grand jury. The indictments, which cap a five-year investigation, are based on evidence that includes secret tape recordings of mob induction ceremonies. The indictments list 113 criminal counts, including murder, conspiracy, extortion, kidnapping, drug trafficking, gambling, wire and mail fraud, and intimidation of witnesses.

NEW JERSEY — The union representing Vineland police has asked the city to pay \$24,000 in legal expenses for officer Paul Letizia, whose shooting last year of Samuel Williams sparked several days of racial unrest. Letizia was cleared of criminal wrongdoing.

NEW YORK — Three New York City police officers have been cleared of assault charges in the death of Juan Rodriguez, who had a fatal heart attack after he was subdued by police in 1988. Rodriguez's wife has filed a \$5-million lawsuit against the city and the officers.

A 23-year-old ex-convict was acquitted

March 21 in the murder of New York City police officer Robert E. Machate last March. Renaldo Rayside, an illegal alien from Panama, was convicted of two lesser counts of escape and possession of a weapon.

PENNSYLVANIA — The most extensive use of sobriety checkpoints in state history was launched this month. Police will target 58 drunken-driving trouble spots and stop drivers suspected of driving while intoxicated.

The Allegheny County Housing Authority says budget constraints will force the agency to lay off 14 security officers when contracts expire Sept. 30.

Southeast

ALABAMA — Daphne Police Chief Joe Hall says his town has gotten an unfair reputation for trapping speeding motorists. Some 1,400 speeding tickets have been issued since last year, but Hall attributes the volume to increases in population and traffic.

FLORIDA — A two-year legislative study by the Miami Herald contends that bias against women is prevalent in the state's legal system. The study said wife abuse is not taken seriously and female offenders serve longer terms because their prisons are not crowded.

GEORGIA — Gwinnett County police plan a \$75,000 upgrade from revolvers to semiautomatic pistols.

LOUISIANA — New Orleans police officer Earl Hauck II was shot and killed March 22 by a prison escapee.

MISSISSIPPI — The Jackson County Sheriff's Department has acquired 10 new patrol cars with money seized from drug traffickers.

TENNESSEE — Police have arrested 66 of 112 drug suspects indicted in a two-week span by grand juries in Carter, Johnson, Washington and Union counties. Officials said 25 vehicles, 26 weapons and \$114,000 were seized.

VIRGINIA — Alexandria Police Chief Gary Leonard, 54, is resigning, but says the action is unrelated to a vote of "no confidence" by the police union. Deputy Chief John Streeter will head the force until a replacement is chosen.

A Federal indictment unsealed March 29 says Alexandria police Cpl. Charles W. Hill, who was shot to death last March by a \$200 hitman, died trying to save the life of a drug dealer who owed his associates a few hundred dollars. Hill, the first city officer in 17 years to be slain, was shot by an escapee from a halfway house during a hostage situation at a public housing project.

Midwest

ILLINOIS — The State Police and five other law enforcement agencies got \$263,346 on March 30 as their share of

drug profits seized in joint enforcement operations. The State Police got \$219,994, with the balance divided among the Carbondale Police Department, the Salem Police Department, the Marion Police Department, the Metropolitan Enforcement Group and the Southern Illinois Enforcement Group.

INDIANA — Gov. Evan Bayh has signed legislation to provide \$3,000 pay raises for state police and conservation officers. Bayh also signed a bill raising fines in drug and alcohol cases in order to fund anti-drug programs.

KENTUCKY — A Senate committee has approved a bill that would eliminate the legal protection of Kentuckians who rape their spouses. A House committee has already approved the bill.

An administrative hearing has begun for Corbin Police Chief Carson Mullin, who faces 14 charges of misconduct and telephone wiretapping. Some 40 witnesses are expected to testify at the hearing.

MICHIGAN — Detroit Mayor Coleman Young said earlier this month that an ongoing Federal probe of a secret Police Department undercover fund has paralyzed the city government. The investigation is looking into whether monies were diverted from the fund to companies connected with a former civilian deputy police chief.

OHIO — Fulton Police Chief Edward Ekleberry was suspended March 28 for what Mayor Carol Edgell called a history of insubordination. Edgell denied that the suspension was linked to Ekleberry's filing of misdemeanor marijuana-possession charges against the Village Council president, Pam Simpson, and her husband. Ekleberry was the town's only police officer.

WEST VIRGINIA — Local taxpayers will pay for a lawyer for ex-Huntington Police Chief Don Norris, who is accused of evading taxes on \$80,000. A court granted Norris pauper status.

PLAINS STATES — Local taxpayers will pay for a lawyer for ex-Huntington Police Chief Don Norris, who is accused of evading taxes on \$80,000. A court granted Norris pauper status.

IOWA — Gov. Terry Branstad said March 27 that he will likely sign a hate-crimes bill passed by the Legislature this month. The bill increases the penalties for assaults against people because of their race, religion or sexual orientation.

The Waterloo school board has given preliminary approval to a policy that would ban displays of gang colors and symbols on school property. The policy, which would also prohibit two-way radios, beepers and other communication devices from school grounds, is due for a final vote by the school board on April 9, and if approved would go into effect next fall. The ban was recommended by a special Waterloo-Cedar Falls anti-gang task force.

Huxley has set up a drug-free zone that covers a 1,000-foot radius of the town's high school. Those selling or using drugs within that area face doubled prison terms under Federal law.

A House committee gave its approval

March 27 to a \$10.9-million legislative package to expand the state's anti-drug efforts on several fronts. The proposal, which includes \$7.9 million in Federal funds for drug programs in the state, would allot \$4.8 million for drug-abuse treatment, \$4.2 million for law enforcement efforts, and \$1.4 million for education and prevention. The bill was sent on to the full House.

MINNESOTA — Minneapolis police officer Craig Stoddard, 35, pleaded guilty March 21 to driving while intoxicated and trespassing. He was found sleeping naked in a stranger's home where his car had crashed. Stoddard was off-duty at the time.

NORTH DAKOTA — State Senator Gen. Meyer has proposed the establishment of a "boot camp" shock incarceration program for some drug offenders, using converted military bases and vacant state facilities.

SOUTHWEST — About \$1 million in Federal drug-prevention funds will go to two organizations in Phoenix, four in Tucson and one in Yuma to help target people under the age of 21 who have histories of drug or alcohol abuse.

COLORADO — The Aurora City Council has tentatively approved an ordinance that holds parents responsible if they encourage or promote gang activity among their children. Penalties include 180 days in jail and a \$500 fine.

NEW MEXICO — Navajo police on March 19 began publishing a daily list of people arrested for drunken driving on the reservation.

OKLAHOMA — Amid extra tight security, the Federal trial of accused drug trafficker Jose Abello Silva began in Tulsa March 26. Jurors' names are to be kept secret, and metal detection equipment has been installed at courthouse entrances. Silva, 35, was extradited from Colombia last October.

TEXAS — Billy Dirks has become the state's only black sheriff after succeeding Hopkins County Sheriff Mark Bassham earlier this month. Dirks will serve at least until November, when a sheriff will be elected to fill the final two years of Bassham's four-year term.

Chief U.S. District Judge Lucius Buntin has asked U.S. Attorney Ron Ederer to file fewer "\$20 coke cases," which the judge says are clogging the courts. Local and state authorities are said to prefer trials in Federal courts, where convictions carry harsher penalties.

FAR WEST — A new state law lowering the blood-alcohol threshold for drunken-driving cases to .08 percent from .10 percent has led to more

arrests, the state Highway Patrol said recently. In February, 11,167 were arrested, up from 10,872 in February 1989. Police officials said 791 of the additional arrestees had blood-alcohol levels of .08 or .09.

Misdemeanor charges of resisting arrest and assaulting a police officer are to be filed against Fresno County Deputy Police Chief Lee Pesola. Police say Pesola took a swing at an arresting officer Dec. 16 after being stopped for a suspected traffic violation.

Modesto is seeking new restrictions aimed at curbing the teenage practice of cruising city streets. Under two proposed ordinances that have already won preliminary City Council approval, motorists passing specific checkpoints more than once in a four-hour period would face fines up to \$250. Pedestrians would risk similar fines for loitering between 6 P.M. and 6 A.M. The ordinances would only be enforced when traffic moved at less than 5 miles per hour. Police officials, who drafted the proposals, say officers are unable to reach trouble spots when cruising cars clog the city's main avenue.

HAWAII — The state Board of Land and Natural Resources plans to increase flights to spray herbicide on suspected marijuana plantations. Officials say 100,000 marijuana plants were destroyed in a five-day campaign that ended March 18.

Honolulu Police Department officials have approved a five-year, \$1-million plan to replace officers' .38-caliber service revolvers with 9mm. semiautomatics. The switch is said to have been sparked by the 1987 shooting of three officers who had trouble reloading their weapons.

IDAHO — State narcotics officials say an explosion in Boise earlier this month at a house under surveillance may have been caused by a methamphetamine lab. No injuries were reported, but three people were detained after the blast.

NEVADA — Fifty new officers would be added to the Las Vegas Metro Police Department under a \$90.2-million budget proposed for the agency. The proposal requires city and county approval.

OREGON — An evidence hearing will be held April 24 to determine whether genetic evidence can be used for the first time in a state trial. The defendant, Herbert Futch, is charged with aggravated murder in the 1988 slaying of an 88-year-old Astoria woman.

WASHINGTON — Twelve undercover Spokane police officers say they have taken and passed drug tests to counter accusations that they use seized drugs.

A quiet, upscale neighborhood of Seattle has become a focus of concern over the possibility that an ax-wielding killer is roaming the area. Earlier this month, several residents reported thefts of axes and wood-splitting mauls, and the thefts were soon followed by the ax-murder of a 63-year-old secretary. Police say the crimes may be related, and have advised residents to lock up wood-splitting equipment and report missing tools. More than 400 tips are being investigated, and police are conducting a door-to-door canvass in search of more murder clues.

Federal File



A roundup of criminal justice activities at the Federal level.

National Institute on Drug Abuse

A 19-city study released by the NIDA on March 11 said big-city hospitals are treating record numbers of drug-related emergencies despite a decline in casual drug use. The study, covering a period from June 1988 to June 1989, found 14 cities reporting significant increases in cocaine emergencies, with St. Louis reporting the largest increase, of 153 percent. Eleven cities recorded increases in heroin emergencies, led by San Francisco's 97-percent rise.

General Accounting Office

Many methadone treatment centers are ineffective in weaning addicts from their heroin habits, according to a GAO study released March 23, and legally-mandated oversight of the centers by the Food and Drug Administration has been virtually nonexistent. The study comes at a time when the Bush Administration is considering expanding the number of methadone programs.

Drug Enforcement Administration

An internal DEA intelligence report, obtained by the newspaper USA Today, says that despite unprecedented enforcement efforts against cocaine traffickers, there has been no apparent reduction in the drug's availability on the nation's streets. The report also found that cocaine cartels have begun to target the Japanese market for the first time.

Senate Judiciary Committee

On March 20, a procession of scientists and technical wizards showed the committee an array of high-tech devices to help fight the drug war, from airborne laser radar systems that can pinpoint cocaine- and heroin-processing plants to drug-sniffing robot mice that would be used to detect drug shipments hidden in planes and ships. The committee's chairman, Senator Joseph Biden (D-Del.), described some of the technology as "right out of the science-fiction books," and said applying such devices to drug enforcement was "not far-fetched." Biden said the Bush Administration's plan to spend \$46 million for anti-drug research and development falls short of current needs.

Bureau of Justice Statistics

Overcrowding in local and county jails increased from 1983 to 1988 because construction failed to keep pace with a 54-percent increase in prisoners, the bureau reported March 25. During that period, the report said, housing space for each prisoner shrank by 6 percent, from 54.3 square feet in 1983 to 50.9 square feet in 1988, despite a 43.7-percent increase in total jail space.

House of Representatives

Legislation designed to make it easier to locate missing children was introduced March 28 by Representative Ben Erdreich (D-Ala.). The bill would require police departments and state missing-children clearinghouses to submit information on missing children to the Justice Department's National Crime Information Center. The resulting centralized data bank could then be accessed by law enforcement agencies, the state clearinghouses, and the National Center for Missing and Exploited Children. Similar legislation has been introduced in the Senate by Mitch McConnell, a Kentucky Republican.

Drug Enforcement Administration

The Colorado Department of Health cited the DEA March 20 for violating state air-pollution standards when the DEA incinerated 1,042 pounds of cocaine in Lakewood on Feb. 23. Harry Collier, an air pollution-control specialist, said the health department acted after receiving complaints about a dense column of smoke when the cocaine was burned. DEA spokesman Ron Hollingshead said the agency used an incinerator that heats up to 800 degrees to prevent the cocaine from turning into "the world's biggest crack cookout."

Department of Justice

The department's 1988 Drug Use Forecasting Annual Report, released in draft form March 27 at a House Judiciary subcommittee hearing, found a dramatic link between criminality and drug abuse, with an estimated 75 percent of felony arrestees nationwide said to be drug users. The 20-city study said the problem was most acute in New York, where 83 percent of men arrested for felonies tested positive for drugs. San Diego was ranked second, at 82 percent, and Philadelphia was third, at 81 percent.

Drug Enforcement Administration

Terrence Burke, the DEA's acting deputy administrator since last October, was named acting administrator March 22 by Attorney General Dick Thornburgh. Burke, 51, a 20-year veteran of the DEA, succeeds John C. Lawn, who retired March 23.

Department of Justice

Attorney General Dick Thornburgh said March 25 that the Justice Department will award anti-drug abuse grants totaling more than \$395 million to states and localities during 1990. Thornburgh said the figure is more than triple the amount handed out last year, and more than twice the amount awarded in 1987, the first year of funding under the Drug Control and System Improvement Formula Grant Program. Eligible states will receive at least \$987,753, with more based on population. Local governments will also receive a share. "These grants will assist state and local criminal justice agencies in carrying out their part of the international war on drugs by attacking the problem on 'Main Street' America," Thornburgh said in a statement.

Basic concern about part-time cops:

Illinois eyes better training

As municipalities grapple with budget constraints and stretched resources, many have found that hiring part-time police officers offers a way to provide protection to citizens while saving scarce dollars. But in Illinois, where about 2,500 part-time and 2,300 auxiliary police officers are employed, there are increasing calls to provide part-timers with the same amount of basic training as their full-time counterparts receive.

The Illinois Local Governmental Law Enforcement Officers Training Board, which is charged with ensuring that every full-time local police officer and sheriff's deputy in Illinois receives 400 hours of training at a certified police academy, has been conducting public hearings on the subject of part-time policing for the past 16 months.

The training board's Select Committee on Part-time/Auxiliary Police Training recommended in March that part-timers should receive training "equivalent" to that required of full-time police officers, according to Al Apa, the board's executive director. The board "accepted that and sent it

back to the committee for the ways and means to do it."

"It's the board's policy and position that when the citizens of Illinois call on the police, they are entitled to having a fully trained officer to service them," Apa said.

Illinois spends about \$4.5 million each year to train its full-time peace officers, and the costs of training part-timers would be "at least that much," said Apa, pointing to a major concern over how the extra training would be paid for should it become required.

"Since they are part-time officers and auxiliary officers, they have other positions. So they haven't had time, and the individual municipalities don't have the money to train them to the extent that full-time officers in the state are trained. That's one of the problems that we have to address," said Apa.

Currently, training for part-time officers varies widely from agency to agency.

One of the most vocal advocates of increased training for part-time officers is Lawrence Rizzo, president of the Illinois State Lodge of the Fraternal

Order of Police, who said that if part-time officers "are going to do the duties that a full-time police officer does, then [they] should have to take the same training" and pass a 400-hour training course.

"It's not that all full-time police officers are perfect, but they do go through the schooling, and when most of them come out, they know when they can use their gun and when they can't," said Rizzo, adding that well-trained police officers help departments avoid potentially catastrophic liability lawsuits.

Some police officials in departments with part-time officers say they play a crucial role in providing needed services, but most who spoke to LEN generally agreed that part-time officers in the state should receive at least as much training as their full-time counterparts, if not more.

In the western Chicago suburb of Bellwood, 20 "deputy marshals," as part-timers there are known, provide a "presence in the community" that serves as a criminal deterrent, said Officer

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4th reverse-bias suit for Dallas PD promotion policy

Dallas Police Chief Mack Vines, former chief Billy Prince, Mayor Annette Strauss, City Manager Richard Knight and the Dallas City Council are among the defendants named by 24 white police lieutenants in a reverse-discrimination suit that claims the lieutenants were passed over for promotion to captain in favor of the highest-ranking black and Hispanic candidates.

The suit, filed in U.S. District Court on March 16, is the fourth filed since 1988 by Dallas police officers alleging reverse discrimination in the promotional practices of the Dallas Police Department. One of the suits, filed by three police officers who say they were passed over for promotion to the rank of sergeant, will go to trial in September, and the rest are in the pretrial discovery phase, said Joseph E. Scuro Jr., the lawyer representing the plaintiffs in all four cases.

At issue in the latest suit is a change

in promotional policies ordered this year by city officials, which set up promotional goals for minorities in city agencies, including supervisory positions in the 2,600-officer Police Department. Previously, promotions were based on candidates' placements on a list that ranked candidates according to their scores on a written promotional exam and an oral assessment. Vines ordered the change in the Police Department's promotional policy to make it conform to that of the city government. The revised policy says that 25 percent of all promotions are to go to black candidates, while Hispanics are allocated 10 percent.

"The city said [the change] was implemented to achieve goals; the officers contend that goals are a pretext for quotas," said Scuro.

Scuro said the promotional list drawn up in January 1989 comprised 35 candidates eligible for the rank of

captain. During a Civil Service hearing in February 1989, the top-ranking officer, who was white, was promoted, but officials then dropped down to the number-seven position to promote a Hispanic, and to number 33 to promote the highest-scoring black candidate. As a result, Scuro said, one of the minority candidates promoted to captain in 1989 ranked lower on the promotional list than 19 of the 24 officers who joined in the suit, and two other minority candidates ranked lower than five of the 24 officers.

The officers are seeking \$38 million in damages, along with promotions to the rank of captain with back pay and benefits. Scuro said the suit also seeks to have the plan declared unlawful.

Police spokesman Ed Spencer said the department could not comment on the suit since it is pending, but noted that the agency has met goals for mi-

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14 fatal shootings by NYC police trigger review of deadly-force rules

New York City Police Commissioner Lee P. Brown, whose tenure has been scarred by a rash of police shootings that have resulted in 14 civilian fatalities so far this year, is not ready to say there are problems with the department's shooting policy, but neither is he about to take any chances. On March 21, he named a five-member committee of law enforcement experts to review existing guidelines on the use of deadly force.

"We see an unprecedented level of violence in the city — violence of citizen against citizen, unprovoked attacks against police officers, and indeed we are concerned about the number of shootings that members of the department have been involved in," said Brown in announcing the formation of the Firearms Policy Committee.

Brown said his appointment of the committee does not imply that current regulations on the use of firearms are a failure, but said the policy may need revision because the nature of crime in the city "has undergone a dramatic transformation" due to the epidemic of crack use since the mid-1980's. The guidelines, drafted in 1972 during the administration of Commissioner Patrick V. Murphy, are similar to those of the FBI and numerous other police agencies, permitting the use of deadly force when a life is in jeopardy.

The panel is composed of: Murphy; John Glover, a former FBI official who is now vice president of corporate security for Bristol-Myers; Michael McNulty, a former New York assistant police chief who serves as the security director of Rockefeller Center; Ronald

McCarthy, manager of the Center for Advanced Police Studies, and Antonio Morales, a former New York police officer who is an adjunct professor of police science at John Jay College of Criminal Justice.

The committee will review firearms guidelines and training procedures and examine the way shootings by police are reported. It will have three months to study the problem before making its final recommendations.

Five of the shooting deaths were of teenagers, and the incidents have angered city residents and sparked protests. The latest fatal shooting occurred on March 2, when a knife-wielding Brooklyn man who had threatened to kill himself lunged at police, who were responding to a 911 call made by the 20-year-old man's father.

People and Places

Hail, hail

A California university president with a career-long commitment to law enforcement professionalism and a Virginia police chief who was the first police executive to obtain a degree from Harvard University's John F. Kennedy School of Government have been named recipients of the 1990 "Outstanding Contribution to Criminal Justice Award," presented by the Section on Criminal Justice of the American Society for Public Administration.

John P. Kenney, the current president of August Vollmer University in Santa Ana, Calif., and Pat G. Minetti,

an Peace Officer Standards and Training

Minetti, a 35-year veteran of the Hampton, Va., Police Department, holds a Master of Public Administration degree from Harvard University's John F. Kennedy School of Government. He earned the degree following an intensive one-year course of study, and became the first police chief to receive the degree. He also holds degrees from Golden Gate University and from Christopher Newport College. He has been credited with developing an array of crime prevention and educational programs in Hampton, including the School Anti-Crime Program, the Take-Hom Car Program and the Officer Friendly Program, all of which have been emulated by police agencies nationwide [See LEN, May 26, 1987].

bite again. Since his retirement in 1980, he served nearly two terms as Sheriff of Bernalillo County. The second term was interrupted in 1985, when he was appointed as Albuquerque's chief administrative officer by then-Mayor Harry Kinney. That job ended in early 1986, when Kinney failed to win reelection. Stover launched an unsuccessful bid for a spot on the New Mexico Corporation Commission in late 1986, then turned his sights back to the Bernalillo County Sheriff's Department, where he served as undersheriff, before once again returning to the Albuquerque Police Department.

"It's like I came back home," said Stover on his return to the agency where he began his law enforcement career in 1958. "It feels real comfortable, and the cooperative attitudes of the people here have been really gratifying."

Pocketful of guffaws

The lawyer for an Oakland County, Mich., man charged with cocaine possession may have had his client's interests at heart when he tried to prove a claim that police had improperly searched his client, but during a pretrial hearing on a suppression motion, the judge examining the defendant's coat triggered a courtroom uproar when he pulled out more suspected cocaine from the defendant's pocket.

Circuit Court Judge Barry Howard had to order a five-minute recess to calm the guffaws and hysterical laughter that reverberated throughout the courtroom after the March 29 incident, the Detroit Free Press reported.

Defense attorney John Lazar had been trying to prove that police had improperly searched a denim coat belonging to Christopher Plovie, who was arrested in front of a suspected crack house in Detroit last October. During that search, said Assistant Prosecutor Brian Zubel, police found a bag that held about 19 grams of cocaine.

Judge Howard complied with Lazar's request to examine the coat in question, and promptly pulled a smaller bag of cocaine out of a pocket. The coat had been in police custody since October, and the 1-1/2-inch-square plastic bag that held about one gram of the substance apparently had gone unnoticed by police.

"I thought, 'This is something out of 'L.A. Law.' This just doesn't happen,'" said Howard.

But the "Great Coke Coat Defense," as the newspaper dubbed the incident, went unavailing because Howard ruled that the original search had been carried out properly by police.

"The funny thing is, even if I had dismissed the search, he could have been charged," Howard noted.

Plovie pleaded guilty to possession of a controlled substance and faces up to four years in prison.

bit odd, so not much thought was given to the stacks of old books, manuscripts and other rare publications piled in his Ottumwa, Iowa, home. After all, according to his father, Henry, Blumberg had been a "puck rat" since his teens.

Thus the people in this town of 28,000, 70 miles southeast of Des Moines, were surprised when FBI agents converged on the Blumberg home on March 20 and arrested the 41-year-old man on charges connected to the theft of thousands of rare manuscripts from universities and colleges throughout the country.

"You'd see him around town, and the way he chose to dress and live didn't fit into society, particularly in a small town," said Harvey Ware, who sold Blumberg the house in September 1988.

"I was in the house once and noticed the books. But I never dreamed they were stolen rare books," Ware told the Associated Press. "But if he did do it, he has deprived society of some valuable documents and deserves prosecution."

The FBI recovered about 11,000 books and rare manuscripts that overflowed the shelves in the 14-room brick house, and estimated their worth at between \$10 million and \$20 million. Among the items found were a copy of Brant Narrenschiff Basel, published in 1309, and the Bishop's Bible, published in 1568. The agency is now buried in the tedious process of tracing the materials to their rightful owners, a chore that could take up to a year, said Larry Holmquist, a special agent in the FBI's Omaha field office.

FBI officials have already identified some of the materials as belonging to Harvard University, the College of William and Mary, Notre Dame University, the universities of Minnesota, Michigan and Nebraska, and several other institutions. They are also seeking help from colleges or universities to verify the ownership of the materials, which are being kept at a warehouse in either Omaha or Des Moines — the exact location was not disclosed — where they are being inventoried and catalogued.

Blumberg, said to be a native of St. Paul, Minn., was charged with interstate transport of stolen property. The FBI sought a warrant to search Blumberg's home after receiving a report that manuscripts and books worth \$662,000 were missing from the University of Oregon in Eugene. The agency did not provide details on how Blumberg became a suspect.

Caveat emptor

As an Atlanta man recently learned the hard way, the police do not take consumer complaints about the quality of drugs sold on the street.

Willie J. Collins was charged with possession of cocaine after he walked into police headquarters on March 25, threw down a packet of what appeared to be cocaine, and demanded that officers arrest the man who sold him the substance because it was of poor quality.

Officer V. J. Williams, who was on duty at the time of the incident, told the Cox News Service that Collins said he had paid \$20 for the packet and that "it wasn't any good." Collins complained that it wasn't the first time he had been cheated by the unnamed dealer. Saying that he was tired of paying "good money for bad stuff," he demanded the arrest of the alleged dealer.

Instead, police arrested Collins for cocaine possession, a charge that was later downgraded to criminal solicitation. Police sent the suspected narcotics to the state's crime lab for analysis.

"He thought he was doing a good deed. He said he didn't want other people to get ripped off like he'd been," said Williams.

Battler hangs it up

Mesa, Ariz., police Sgt. Sammy Austin could have called it a career after the October 1979 incident in which he was shot in the face by a teenager acting on a dare, but through a combination of courage, perseverance and pluck, he extended his police career for more than 10 years afterward. On March 30 of this year, retirement finally came for the 21-year veteran.

The shotgun attack made Austin more determined than ever to continue as a policeman even while battling to bounce back from his wounds, which left him permanently disfigured and with a speech impediment that makes it difficult for him to make himself understood. His face has been partially reconstructed, but part of his jaw and half of his tongue are missing, and he still experiences some physical pain, according to the Arizona Republic.

"You have to go on with your life," said Austin, who speaks modestly about his trials in the wake of the shooting. "I had to realize some goals would never be fulfilled, and I had to set up other goals. I always wanted to be a motorcycle officer, and I couldn't fulfill that goal. But I've fulfilled other goals."

Foremost among those goals was continuing his law enforcement career despite the handicaps resulting from the shooting. Austin's determination earned him glowing tributes from the supervisors and fellow officers who attended his farewell party.

"He has the most determination of anybody I've ever met in my life," said Assistant Police Chief Mike Whalen. "Everyone has great admiration for him. A lot of people have said they don't know if they would have had the fortitude to go through what he's been through."

Austin said the thought of leaving policing never entered his mind as he lay in a hospital bed for months after the shooting, nor does he feel malice toward Raymond Arviso, the man convicted of the crime that changed Austin's life forever. Arviso, then 16, is serving a 15-year sentence at Arizona State Prison in Winslow. He became eligible for parole in February.

"I don't have any feelings toward the young man because I don't know him. How can you have feelings toward someone you don't know?" said Austin. In retirement, Austin and his wife plan to move to Texas to be near their daughter and year-old grandson.

You can go back home

Although many of those who retire after a full career in law enforcement need little more than days spent with a fishing pole and no noise louder than the gurgle of a good trout stream, others just can't handle the return to civilian life.

That's one of the reasons Robert Stover gave LEN for taking the reins — for the second time — as chief of the 750-member Albuquerque, N.M., Police Department. Stover, who served as police chief there from 1973 to 1980, replaced Sam Baca, who resigned to head the Lakeland, Fla., Police Department.

Stover, who will be sworn in as chief on April 16, said retirement just wasn't the life for him.

"When I retired at 44 years of age, I thought I was ready to go watch TV, go fishing, read books and lay around. I just couldn't do it; I'm too active," said Stover, 54.

But by no means did Stover sit around and wait for the policing hug to



Chief Pat Minetti

who has been the Police Chief of Hampton, Va., since 1972, will receive the awards during the society's annual meeting April 10 in Los Angeles.

Kenney has been a professor at California State University in Long Beach and at the University of Southern California. He also served as director of the California Department of Justice's Division of Law Enforcement, and is a member of the state Commis-

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John J. Collins
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Marie Simonetti Rosen
Associate Publisher

Peter C. Dodenhoff
Editor

Jacob R. Clark
Staff Writer

Leslie-Ann Davidson
Subscriptions

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Booking procedures

Acquaintances of Stephen Carrie Blumberg had always thought him a

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Prowler calls prompt new response priorities in Seattle

Seattle police officials made changes in emergency-response procedures following a "tragic" incident on March 18 in which a developmentally disabled mother and daughter were raped by a paroled sex offender who invaded their residence after they had made repeated calls to police about a prowler lurking outside their home.

Seattle police spokeswoman Tina Drain told LEN that as a result of the incident, dispatchers will give all prowler calls "precedence-one" priority, indicating that an immediate police response is needed. Drain said that dispatchers followed the proper procedures in handling the prowler call, but police were overwhelmed with emergency calls in the early morning hours of March 18, including a search for an escaped convict, a shooting, a stabbing, and a gun threat.

"Everything was done according to procedure on the part of our dispatcher and on the part of our officers, but it was just tragic that there were so many calls holding that night that we couldn't get to [the women] sooner," said Drain.

After the women made three calls to police requesting aid, a police dispatcher — following policy in instances where

police response may be delayed — called the women to check on their condition and to see whether officers were still needed. Adding to the confusion was a request by the daughter, who was not identified, to cancel the call for police, saying that the prowler had left and that officers were no longer needed at the scene, said Drain.

Police later learned that the prowler, identified as William Jimerson, 21, had broken into the home and was holding the women hostage. Jimerson, who was acquitted of molesting the daughter five years ago, allegedly forced her to cancel the call for service, then raped both women. The daughter escaped to a neighbor's home and called police, who arrived about 10 minutes later — two hours after receiving the first of four calls made by the women.

Police found Jimerson passed out naked on the floor of the women's home. King County prosecutors say he had been released from prison a little more than three months earlier after serving time for raping two other people. He was arrested and charged with rape, and authorities requested that bail be set at \$250,000. The women were treated at a local hospital and released.

Prior to the incident, prowler calls were assigned an urgent "precedence-two" priority, Drain said. She added that police have found that 70 percent of prowler calls "turn out to be nothing," but nevertheless, such calls are assigned the second-highest emergency response priority, which requires a near-immediate police response, out a total of eight such classifications.

Precedence-one and -two calls were "unusually high" on the night of March 17-18, owing in part to St. Patrick's Day revelry and resulting drunken violence, and a rash of other criminal activity, Drain said, noting, "It was just bedlam out there that night."

If the prowler had actually broken into the residence, the initial call for assistance, made by the mother, would have been upgraded to a precedence-one priority, Drain added, but the woman had indicated that the home was not being forcibly entered.

The change in emphasis for prowler calls will result in an increase in precedence-one priority responses and will increase the number of calls holding for service, Drain said, "but if it saves somebody from being hurt, so be it. That's the bottom line."

Vice arrests spell hot copy for NJ paper

The hottest publication in Newark, N.J., is a newspaper published by the City Council, the first 60,000 copies of which were snapped up like hotcakes. What differentiates the eight-page tabloid from other, more staid government publications is its content: It lists thousands of names of people arrested in the city on prostitution, solicitation and illegal drug charges.

While the scandal sheet, The Council Monitor, appears unlikely to give the National Enquirer a run for its money, it has fueled heated exchanges over how far a jurisdiction should go to deter criminal acts and whether reporting the names of arrestees violates the rights of the accused.

The first issue of the newspaper appeared in December and listed 1,242 names. Newark is spending \$10,000 to print four quarterly issues, with a press run of 60,000 each. About 7,000 issues are mailed to residents; the rest are distributed at police precincts, ward offices and other public places.

The second issue, released at the end of March, contains an important departure from the first — an official apology to Gerard C. Schenck, who was wrongly identified in the first edition as someone arrested on a drug charge. A friend of Schenck's, Aaron Holman, had been arrested on the drug charge but gave police Schenck's name. Schenck, a corrections officer, had to go to court twice to get his name removed from the police blotter; his wife demanded a public apology. City Council President Henry Martinez agreed to run the correction in the next two issues, and assured Newark residents that

in subsequent issues, only names matched with fingerprints by police will be published.

The Monitor was born last July when the City Council, in an effort to expose and deter illegal activity, decided to publicize arrest records. It approached the local newspaper, the Newark Star-Ledger, with the idea, but was rebuffed by editors who didn't consider routine arrests to be newsworthy. The City Council, undeterred, voted 6-3 to publish its own paper.

Those who objected felt publicizing the names of arrestees violated their right to be presumed innocent until proven guilty. Prostitution is a severe problem in Newark, Councilman Donald Tucker told the New York Times, but added "I don't think it's so severe that we have to surrender our basic constitutional rights. What's happening here is that we are allowing a horrible situation to get the best of us."

What happened to Schenck is an example of how good intentions on the part of the City Council could adversely affect the reputation of law-abiding citizens, said Edward Martone, the executive director of the American Civil Liberties Union of New Jersey.

"This could very well result in someone getting fired, not getting hired, or his spouse leaving," said Martone.

But City Council President Martinez has not been swayed by the argument. He hopes to expand the tabloid's coverage to include suspects picked up on charges of auto theft, a criminal activity for which Newark is an undisputed national leader.

Chicago review board, under fire, hears calls for major reorganization

Chicago police Supt. Leroy Martin has called for a restructuring of the Office of Professional Standards (OPS), which investigates complaints of police brutality, and wants to add police to its staff of 68 investigators because the office "has lost a great deal of credibility with the citizens."

"There is a lack of experience by the civilian investigators," Martin said March 8. "A good cop with experience is head and shoulders above a civilian with no experience."

Martin later clarified that statement, which appeared in the Chicago Tribune, saying that he was opposed to putting police officers on the staff of the OPS, which has come under fire amid calls for the resignation of David Fogel, a University of Illinois professor who has headed the office since 1984.

Chicago police spokeswoman Tina Vicini told LEN that in announcing his support for restructuring of the agency, Martin meant that he would like to see "people who have investigative backgrounds" assisting OPS.

"He wasn't thinking of putting [current] Chicago police officers down there. He wants to maintain the integrity of the unit, and still wants to retain an all-civilian unit," Vicini said. Martin would like to see former police officers, FBI agents or State Police officers serve as investigators, she added.

The office was established as a civilian review board in the mid-1970's after the Chicago Tribune exposed widespread police brutality and bungled efforts by police officers assigned to probe allegations of brutality. OPS submits its findings to the nine-member, all-civilian Police Board, which has the final say on internal investigations of police misconduct. Martin said last year that the Police Board often failed to heed his recommendations of discipline for officers implicated in wrongdoing. [See LEN, July 15, 1989.] Martin has charged that the OPS has become ineffective, and that before he became Superintendent, "I would see cases where I thought that they guy was guilty and [OPS] bungled it."

The Tribune reported that of the 2,220 cases investigated by OPS in 1989, 1,868 were not sustained; 189 were unfounded; 24 were exonerated, and 139 were sustained. Martin said he will put together a review unit to look at charges initially deemed invalid by OPS because most of the cases it investigates result in findings that the complaints are "not sustained," meaning no evidence existed to determine whether police conduct was improper.

Martin recalled a recent case where an OPS investigator could not locate a female rape victim who had complained that an officer had made improper comments to her in a squad car. The investigator did not know that all rape cases are handled by the department's violent crimes unit. "With a simple phone call to that unit we were able to get a better home address on the woman," Martin said.

Martin said that police officers being investigated for misconduct are often "bright, and you should send someone equally bright to investigate them."

It's all hands on deck as E. St. Louis tries to roust druggies from projects

Illinois State Police undercover agents, a security coordinator, "Officer Friendly," a 24-hour drug hotline, and a voluntary identification-card program for residents are among the ammunition being readied to keep drug dealers from plying their trade in the 3,264 public housing units administered by the East St. Louis, Ill., Housing Authority.

"I'm hoping this will give our residents assurances that we've listened and do care," said Stephanie A. Stafford, the operations director for the Housing Authority, which recently received \$500,000 from the U.S. Department of Housing and Urban Development

to cover expenses for the undercover agents, the hot line and Officer Friendly. The sum is part of a \$4-million Federal grant given to the authority under the Comprehensive Improvement Assistance Program.

While the State Police and the Housing Authority are still working out the details on contracts for the drug investigations, the finished product would represent "a unique operation" in Illinois, said State Police spokesman Robert Fletcher. A Housing Authority security adviser and the ID card program are pending requests in the authority's budget for the new fiscal year that begins April 1.

"We hope to hear within the next week or so if everything was approved," Stafford told the St. Louis Post-Dispatch late this month.

Residents of the housing projects, weary of the toll exacted by drug trafficking in their midst, greeted the proposals with relief mixed with a touch of cynicism.

"I most certainly would welcome [the State Police] here," added Ina Moore, president of the John Robinson Homes tenant association. But Moore said she wasn't sure the ID card program would work.

"It's not going to stop anybody" from selling drugs, she said.

Bold new LEEP may be in store for CJ education

Continued from Page 1

of whom feel it adequately addresses the shortcomings of the Police Corps proposal. J. Price Foster, the former director of the U.S. Office of Criminal Justice Education and Training, which administered the highly regarded LEEP program, served as a consultant to Graham's staff in the drafting of the Senate bill. Foster, who is now dean of the University of Louisville's College of Urban and Public Affairs, said the Federal Government should not dictate whether the money would be used to fund pre-service or in-service recipients. Instead, he suggested, the states should be required to submit human resource development plans that would determine how the funds would be used.

"Funds could be used for pre-service or in-service, depending on what the states' needs happen to be," Foster suggested. Foster noted that some states and localities have already invested in educational grants and loans to law enforcement personnel, and they might be "penalized" by a "program which dictates who the money goes to."

The original LEEP program included provisions for those in law enforcement as well as those planning police careers, in the form of loans for pre-service students and grants for those in service.

Darrel Stephens, the executive director of the Police Executive Research Forum, said the new scholarship proposal is "a good approach from the perspective that it provides funding for in-service law enforcement officers and

brings in local commitment to the educational process," but added that it should include support for pre-service personnel. Stephens suggested that a program similar to LEEP might be a more effective way for police officers to acquire an education.

LEEP was "an excellent program, one that made substantial contributions to the improvement of policing in America," said Stephens, who noted that "many present-day law enforcement leaders," including himself, benefited from the program, which was phased out in the late 1970's.

The scholarship act "will probably have a greater impact than the Police Corps bill" because it focuses on aid to in-service personnel, said David Carter, a professor of criminal justice at Michigan State University who has studied law enforcement education extensively.

"There's a heck of a lot of in-service people out there who have some college but are having trouble getting the motivation to go back to school for one reason or another. Hopefully, this piece of legislation would be the motivation to get them back into school," he said.

Carter expressed concern that states might object to providing funds for the scholarships, claiming "other priorities," but said one means of avoiding that problem could be by including funds from existing municipal and university-based educational support programs as part of the state's 40-percent share of the costs.

Drug testing improves as business booms

Continued from Page 1

office is unsure whether drug testing "scars [officers] into staying clean" or the department is simply hiring only non-users, but of the nearly 4,000 officers tested since the LAPD began its drug-testing program about 18 months ago, only two tested positive for drug use, and they were later found to have used doctor-approved prescription drugs.

"We expected to hit 1 or 2 percent positives and we weren't anywhere near that," said Gagnon.

Unlike most police agencies, the Los Angeles Police Department performs its own drug-testing analyses, rather than contracting with a private lab. The procedure, however, is virtually the same. Two enzyme immunoassay tests are performed as an initial screen, and a split sample is retained and subjected to gas chromatography/mass spectrometry (GC/MS) testing by a certified outside lab in the event of a positive result. The drug-testing program, which screens officers from three to six times a year, costs the department about \$330,000 annually.

Over or Under the Threshold

As for false negatives, which are usually the result of preset threshold levels, Gagnon dismisses the issue almost out of hand. "How would you get false negatives?" he asks. "Either it's there or it's not. There's no way to mask it."

Police officials in agencies with drug-testing programs in place are reasonably confident that false positives can be picked up by the GC/MS technique. One notorious example of a false positive would involve a situation where a subject recently consumed poppy-seed bagels, for instance, which could produce a positive reading for opiate use on screening tests. The threshold levels for opiates and at least four other categories of drugs — amphetamines, cannabinoids, cocaine and phenylcyclidine (PCP) — are set by the National Institute on Drug Abuse (NIDA), which in 1988 issued guidelines for Federal workplace drug-testing programs, and certifies private laboratories that test for drugs. Laboratories contracted by the Government to carry out drug testing of Federal workers are required to conform to the NIDA guidelines. Positive results on an enzyme immunoassay test are routinely retested using the GC/MS technique, but the cost of GC/MS tests, which can run anywhere from \$50-\$100 each, limits its use to the confirmation of preliminary findings.

Sensitivity vs. Specificity

The threshold levels for drug metabolites in urine can be set higher or lower, and the identification of drug users within a work force will follow suit, notes Dr. Lawrence Miike, a former senior associate with the U.S. Office of Technology Assessment. Miike, who is now a professor at the University of Hawaii at Manoa's School of Medicine, co-authored with Maria Hewitt a 1988 report, "Accuracy and Reliability of Urine Drug Tests," in which it was noted "Placing the cutoff level at the least amount of drug possible to detect will identify more drug users, but consistency in identification will suffer. Placing the cutoff level at a higher level will greatly improve testing consistency, but will identify relatively fewer drug users."

The report also distinguished between a test's "sensitivity," or ability to correctly identify specimens containing drugs, measured by the number of false-negative results, and "specificity," or the ability to correctly identify drug-free urine specimens, measured by the number of false-positive results. For example, a test that is 95-percent sensitive means that when a lab tests 100 samples known to contain drugs, 95 will test positive and five will test negative. A test that is 95 percent specific means that when 100 samples known not to contain drugs are tested, 95 will test negative and five will test positive.

"Usually, sensitivity comes at the expense of specificity and vice versa (it is unusual for a test to be both 100-percent sensitive and 100-percent specific). Thus, an employer may prefer minimizing the number of false positives, even though some drug users will escape identification by raising the cutoff level," Miike and Hewitt wrote.

Don't Rely Only on Testing

Employers will allow a certain number of false-negatives because the risks of falsely accusing an employee of drug use are too high and can result in costly liability suits. And, as Miike emphasized in a LEN interview, employers should not rely solely on urinalysis screening to pinpoint drug abusers in their midst.

"If someone's an abuser and it's really affecting their work, I think managers are falling down on their jobs if they can't notice that. I'm sure that some people slip by just because of the false-negative issue but I don't think it's a systematic problem where you would have droves of people getting in that way. If a [police] department has set up a program of entry testing, and doesn't have any kind of follow-up and other things besides urine testing to look out for drug abuse, then I don't think they're doing their jobs," Miike said.

The Syva Company of Palo Alto, Calif., manufactures 10 different types of enzyme immunoassay screens, including the widely used, oft-criticized EMIT test. Jay Gorsky, a senior product manager for the company, told LEN that many of the criticisms leveled against enzyme immunoassay screens — typified by the screens' reactions to poppy seeds — are "absolutely non-

sense." The poppy seed does contain "small amounts of the opiate compound" that can be detected and will show up on a test as an opiate, but a GC/MS test will call the bluff, he observed. As for false negatives, Gorsky said: "The cutoffs have been administratively set and have stood the test of time for 20 years. So the whole idea of false negatives is really a misnomer. You will have samples that have drugs that fall below your cutoff. You've defined those as negative up front. And that's really the issue."

Existing Thresholds Are Enough

Gorsky said the threshold levels were set years ago by leading pharmacologists as being levels "that are sufficient to detect most anybody who abused drugs within the recent past."

"Some people would like to go low, low, low, and detect more people, but in reality, you get most everybody with the cutoffs where they are," Gorsky said. "If you miss them this time, you'll get them next time."

The International Association of Chief of Police, in its model policy on drug testing issued in May 1989, conceded the possibility of false negatives occurring due to "the addition of certain substances to the urine, or where urine goes stale with age," and also through the cutoff levels of screening methods. The IACP's model policy uses the same cutoff levels in both screen and GC/MS tests as outlined by NIDA.

"Naturally, the smaller the amount desired to be detected, the lower the reliability factor," the policy notes. "Manufacturers usually set cutoff levels for their tests. Thus, if a person has a lower concentration of a drug in their system than the cutoff level, it will register as negative for drug use, although drug may actually have been used." IACP advises police agencies to "carefully study the drug-screening methods available, and determine which drugs they need to test for and the appropriate cutoff levels."

The issue of cutoff levels and whether they should be changed in the Federal guidelines was one of several topics explored at a NIDA-sponsored conference on drug testing held late last year. Dr. Finkle, the University of Utah toxicologist who chaired the conference, said discussions focused on whether the cutoff levels now in place are appropriate or should be changed.

Also discussed was whether the five basic drug groups now routinely tested under Federal guidelines ought to be expanded.

Both issues need "a lot more thought than has gone into it already," Finkle told LEN.

Finkle noted that while there are concerns about false-negatives, there is greater concern about false-positives because of the liability issues in wrongly accusing a subject of drug abuse and also because labs who announce false-positive results stand to lose their NIDA certification.

And the Winner Is...

As more public and private organizations opt to test employees for illegal drug use, the real winners are the companies in the business of processing the tests. Put simply, business is booming. Five of the largest companies — SmithKline Beecham Co.; Hoffmann-LaRoche; Metpath; Compuchem, and Damon — took in an estimated \$173 million, or 75 percent of a \$230-million market last year, according to news reports. Estimates for this year indicate that the total market will increase to \$340 million. Most of the larger labs are seeking NIDA certification if they haven't obtained it already, and industry insiders say that the push to get the Federal certification will drive labs with questionable procedures out of business, thereby increasing assurances that labs are doing quality testing.

"There's no question whatever that the Federally mandated program has forced enormous improvements in the standards of practice," said Hinkle. "In the case of urine drug testing labs, they simply cannot be in business to any serious degree without being certified by NIDA. So there has been, during the last three years, massive improvement, although I must say that those improvements have come about not through self-regulation in the profession but through forced regulations through the Federal Government."

"The Federal Government, through NIDA, is policing us by having a NIDA certification program," said Compuchem's Brunswick. Compuchem, which services contracts with "virtually every Federal Government agency" including the FBI, the Justice Department, the Federal Aviation Administration, the Drug Enforcement Agency, and the Secret Service, did \$25 million in fo-

rensic-quality testing in 1989, Brunswick said, 58 percent of it in illegal drug testing. While Brunswick could not give exact figures on the scope of Compuchem's business with law enforcement agencies, he has noted "an increasing amount of law enforcement activity."

Market Forces at Work

Brunswick said that smaller companies, who often bid low to get contracts, won't be able to offer the necessary levels of quality as competition for business heats up. "I don't see how they can at the cost of what they're bidding... I would hope that they won't compromise quality. If they do, they'll be out of business because the only thing you have to sell in this business is your reputation for quality. Whether they can handle the volume that is going to come from increased testing remains to be seen. I don't think that's going to degrade the quality, but it could cause a service problem."

Members of Congress are currently moving to ensure accurate testing, partly through compliance with what would be a set of nationally standardized guidelines in such areas as quality controls and procedures, laboratory security, and personnel hiring and training. A bill was introduced in the House of Representatives last year by Representatives John Dingell (D-Mich.) and Thomas Bliley Jr. (R-Va.), which would require that tests done for private companies comply with guidelines similar to NIDA's. Senators Orrin Hatch (R-Utah) and David Boren (D-Okla.) introduced companion legislation in the Senate in November, which would require "private-sector workplace drug-testing programs" to adhere to Federal standards, and would preempt other standards set up by states to allow for uniformity.

The standards, which would be drafted by the Secretary of Health and Human Services, would serve as the basis for granting certification to laboratories, without which they would be barred from performing drug tests.

Both bills await action in Congress, but support for some form of nationally accepted and applied drug-testing standards is widespread — even among industry officials. "Anything that would standardize on a national level would probably be a good idea," said Compuchem's Brunswick.

Experts urge a few drug-test precautions

Notwithstanding any improvements in the drug-testing industry in the past few years, experts in law enforcement, law and clinical chemistry caution that police administrators need to examine a wide range of issues before instituting urinalysis drug-screening programs.

H. Jerome Miron, a former undersheriff of Pinellas County, Fla., who now heads a Fort Lauderdale consulting firm, held a workshop on drug-free workplaces in March that was attended by more than 50 police executives from eight states. Miron said participants were concerned about whether agencies could have access to laboratory employees for use as expert witnesses in case legal challenges to testing programs arise.

"And of course, you can," said

Miron. "It may cost a little more money in the contract, but that's up to you to negotiate."

In choosing a lab, most agree, it is wise to contract with one that has been certified by the National Institute on Drug Abuse (NIDA), an arm of the Department of Health and Human Services, which in 1988 developed procedural guidelines for labs performing drug-testing work for the Federal Government. Approximately 45 labs nationwide have been certified, and they must maintain stringent standards in such areas as sample collection and storage, personnel hiring and training, laboratory quality controls, and testing procedures and accuracy. Those that violate NIDA standards face the loss of certification — and perhaps a good chunk of business as well.

"I don't think any responsible agency or company should use anything other than a NIDA-approved lab for starters," said Paul Brunswick, the vice president of Compuchem, one of the nation's largest drug-testing firms.

Sgt. Jan Zimmerman of the Kansas City, Mo., Police Department, where a random drug-testing program is due to start in April, said that choosing a NIDA-certified lab provides "a little additional insurance" as to its reliability.

Miron and others, including NIDA officials, recommend sending blind samples containing traces of illegal drugs to labs as a test of the lab's accuracy. Police officials have been urged to designate a medical review officer, as is done in Federal testing programs, to ensure test accuracy and decrease the likelihood of making false

accusations against an employee. In the event of a positive result, the medical review officer would question the subject as to whether he or she has ingested any foods or taken over-the-counter or prescription drugs that would alter test results.

"That kind of human analysis beyond just the test is important," said Kevin Zeese, the author of "The Drug Testing Legal Manual." "You can't just rely on the testing technique. You need to have the human being look it over and review and weigh the various evidence before you make any accusations."

Any drug-testing program should be discussed and developed in concert with police unions — or, in their absence, police officers themselves.

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Software speeds arrest paperwork

If paperwork can be seen as the mother's milk of bureaucracies, the Garden City, N.Y., Police Department is in the process of weaning itself, using a computer software program to reduce the time and tedium involved in arrest-related paperwork.

The JetForm software used by the department to process arrest paperwork is one of the agency's latest applications of computer technology, reports the April edition PC Publishing magazine, and has cut from four hours to 40 minutes the time spent processing the myriad of forms that arrests generate.

Officer Al Perez, who has been in charge of the department's computerization effort since 1987, pointed out that JetForm can be used for a variety of tasks, including designing new forms when needed.

"We are doing most of our arrest forms, pedigree information sheets,

vehicle accident reports, court information manuscripts and the like in the program," said Perez. The JetForm program is compatible with the agency's PC-clone microcomputers, as well as the on-line printers in use by the agency, Perez added.

But the JetForm program is used most to process arrests, which require filling out local, state and Federal forms with pertinent data. Much of the data is redundant, but JetForm saves time by inserting repetitive items in the appropriate spaces of all of the various forms.

"Using the program has greatly reduced the amount of time required to process an arrest. That's a welcome benefit," Perez said, noting that it saves overtime costs and hastens the return of officers to patrol duties.

JetForm has features that allow the transfer and capture of information from one field to another — a capability that

Perez said is "very handy."

"Scanning a form, tracing it out and using it as a template has worked out well, too," he added.

Perez said the 44-officer department will soon have its computer capabilities linked into a local area network, and there are plans to acquire mobile data terminals, or laptops, for police cruisers. The terminals will be connected to a radio frequency and the local area network located at headquarters.

"Officers in the vehicles will be able to transmit information back to the department instantly, and that should boost the speed at which forms are processed," Perez explained.

The department's computerization program has streamlined the way paperwork is processed, Perez noted. "We produce anywhere from six to 100 forms daily. I could not imagine going back and doing things the old way."

Fed prosecutor lays down the law for landlords who wink at druggies

An out-of-court settlement between a Des Moines, Ill., landlord and the U.S. Attorney's office includes standards that the Federal Government said will be used in future prosecutions to force landlords to take steps to prevent drug activity from occurring on their properties — or face losing their holdings.

The standards were outlined in an agreement reached March 27, and arose from proceedings against Hernandez Partnership, the owner of a Des Moines building where police and DEA agents last November found 109 grams of crack cocaine, \$9,000 in cash and five handguns, two of which were stolen, according to court documents published by the Des Moines Register.

The Federal Government agreed not to seize the building, reportedly worth

\$190,000, if the landlord took steps to prevent tenants from participating in illegal drug activities. The case was said to be the first of its kind in the Federal District Court in the Southern District of Iowa, which includes Des Moines.

Under the standards that will be used by Federal prosecutors in future cases, landlords must verify sufficient information about a tenant's background, including employment and financial information; monitor tenants' activities and investigate reports of suspicious activities; conduct periodic inspections, especially if hazardous materials or other drug-making manufacturing devices are suspected; notify Federal and local authorities if drug trafficking is suspected, and terminate the leases of known drug traffickers.

The standards will be used to determine whether the Government should seize property belonging to landlords who claim ignorance about drug activity occurring in their buildings, said Assistant U.S. Attorney Kevin Vander-Schel.

"If they are aware of suspicious activity and deliberately look the other way, that would constitute 'willful blindness,' and it's the legal equivalent of having full knowledge," said Vander-Schel.

The outline of standards was compared to "a neighborhood-watch program for an apartment building," by William Serangeli, the lawyer for the Hernandez Partnership, who said the standards are "time-consuming, but not difficult."

Use of part-time police in Illinois raises calls for training standards

Continued from Page 3

Gary Modrow, the accreditation manager of the 41-officer department.

"They'll do anything that's needed...to eliminate some of the neighborhood problems. They are used for public relations and for foot patrol in an area with problems like loitering. They will clear up the problem for us just by being there," said Modrow. The deputy marshals have arrest powers and are armed, he added.

The department "implemented quite a bit of training" for the part-timers, Modrow said, including monthly training and an annual 24-hour retraining course that must be completed before they begin their duties. They also receive firearms instruction and go on ride-alongs with full-time officers.

Modrow said that the agency has not run into any problems with using the part-timers because "we carefully control the use of them. They won't do anything that they're not really trained for. We avoid any situations where they could have problems and I think that's helped a good deal."

"They're volunteers and they really want to help the community, and this is something they can do that does help the police department in that we don't have to use a uniformed officer," he

Full-time and part-time police personnel in Illinois

Selected municipalities, as of Oct. 31, 1988

Municipality	Full-Time	Part-Time
Forest View	8	15
Golf	1	13
Harwood Heights	16	14
Hawthorn Woods	0	10
La Grange Park	21	15
South Barrington	6	11
Stickney	13	13
Summit	23	38
Woodstock	25	10

Source: Illinois State Police/Chicago Tribune

noted.

But he said that more training for part-timers "is indeed" needed. He supports a proposal to require 240 hours of training for part-timers with no police-related duties, and 400 hours for those with police duties.

Palos Heights Police Chief Reed Powers said he plans to bring on more part-time officers if the state decides to certify them. Six part-timers currently work for the 28-officer department. The department has been accredited by the

Commission on the Accreditation of Law Enforcement Agencies, and the part-time officers received training equivalent to that given to full-time officers to comply with CALEA standards.

Even so, Powers said he was in favor of increased training for part-time officers, whom he called "one of the best resources [a police agency] can have, especially with money getting tighter and tighter... Most of them do a very effective job."

When is a team not a team?

By Stephen Goldsmith

"Criminal justice system" or "law enforcement team" brings to mind smooth-working partnerships of district attorneys and police clearly aligned against the bad guys. More often than not, television courtroom drama ends with the prosecutor gaining the conviction as the pleased detective quietly leaves the courtroom.

An Insider's Look at Police-Prosecutor Relations

First in a series

In contrast, some researchers who have studied the relationships reach quite different conclusions. Police and prosecutors face differing missions and pressures, communicate infrequently or poorly, often bear dissimilar credentials, and face different political and public demands. The Georgetown University Institute of Criminal Law and Procedure interviewed 205 police officers and 85 prosecutors and reached the conclusion that the relationship creates "intense interpersonal animosity, inter-organizational mutual doubt and suspicion about the competence, motives and dedication of the personnel in the other agency." Neither the research description nor the TV image may fairly be generalized to all branches of all police departments. However, the tensions described by the Georgetown study more clearly describe what many of us see.

The identification of ways to improve the relationship and translate that into safer streets remains a critical challenge for all law enforcement managers. This challenge should be approached from two levels.

First, the pressures and suspicions that create a generic tension should be identified and discussed at both the executive level and lower levels in both departments. Prosecutors and police often make disparaging comments about the ability, commitment and motives of the other. Since the DA is elected, police perceive, sometimes correctly, that public or political pressures affect particular decisions. In virtually every city, police complain about the district attorneys' office sweeping away the less serious cases and dodging even the serious case if the evidence is marginal. Prosecutors, for their part, complain about poor investigative work, omitted evidence, and poorly presented reports and testimony.

All of these items need to be put on the table. Cities interested in improving relationships and results have established police/prosecutor coordinating committees to oversee the improvements. These committees sometimes organize discrete advisory groups that can identify the sources of friction and possible solutions. A full-time liaison officer, assigned to troubleshoot and to staff these groups improved their effectiveness.

Second, specific areas where cooperative approaches benefit everyone should be identified. The chief, sheriff and prosecutor need to commit to solving a given problem, appoint a working group with appropriate, creative, progressive representatives to address the problem, and insist that a report be presented and changes instituted. This approach inherently requires the group to negotiate the land mines of inertia, turf protection, and simple bureaucratic myopia.

Over the next several months, this column will present examples of specific areas in which improvements have been made, looking at those improvements from the vantage point of the police, prosecutor and community. Other areas to be addressed include how to reduce case attrition, the tensions and confusion surrounding screening, crime scene and evidence gathering and presentation, integrated data systems, and prosecutor investigation of police misbehavior. Also, model cooperative task forces, such as in drug enforcement, child abuse or community policing, will be highlighted. Lastly, attention will be focused on fighting drugs, forfeiting assets, reducing court time, helping child victims, and other worthwhile goals that are best accomplished through joint efforts.

Prosecutors provide legal support to police officers, and they can do it in a constructive way so as to benefit the community and assist the officer. Police, on the other hand, can help prosecutors convict defendants by making better arrests, submitting better reports, and by developing an understanding of what is required in a courtroom. When police and prosecutors cooperate, the result is, without doubt, that citizens are the winners and the work of the "law-enforcement team" members becomes easier and more productive.

(Stephen Goldsmith is the Prosecuting Attorney of Marion County [Indianapolis], Ind. He is a research fellow with the criminal justice program at Harvard University's Kennedy School of Government, and serves on the boards of the American Prosecutors Research Institute and the National District Attorneys Association.)

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Miron:

Facts of life for drug-war hawks & doves

By Jerry Miron

National and local public opinion polls agree with government policies that drugs are harmful and that legal and social efforts to control their use must be continued. Yet, a number of academics, officials and writers are calling for an end to the war on drugs. They favor efforts to decriminalize drug sanctions and to legalize drug use under government sponsorship, administration and dispensation.

A series of articles in the February issue of the *Journal of the American Bar Association* summarized legalization arguments and concluded that the debate between drug-war hawks (no legalization) and doves (no prohibition) is building "into a political controversy that could divide the country as deeply as Vietnam did 20 years ago." Curiously, this debate occurs at a time when cocaine and crack use has been steadily declining over the past decade. Even more interesting, this decline parallels a corresponding drop in crime rates for the same period.

Facts about the annual use of cocaine and crack have been widely published since 1982 by the National Institute on Drug Abuse. The institute routinely conducts the only surveys that measure the prevalence and correlates of drug use in our society.

In 1982, there were 12.1 million Americans over the age of 12 who used cocaine at least once in the 12-month period prior to the survey. In 1988, this annual use of cocaine and crack (the latter was introduced in 1985) declined to 8.2 million — a 32-percent reduction. Annual use of cocaine and crack declined in all age groups between 1982 and 1988.

¶ In 1982, there were 1.1 million juveniles who used cocaine; in 1988, cocaine and crack use in this cohort dropped to 591,000 — a 49-percent decrease.

¶ In 1982, 6.1 million young adults between 18 and 25 years of age used cocaine; in 1988, cocaine and crack use in this group declined to 3.5 million — a 42-percent reduction.

¶ In 1982, 4.7 million adults over the age of 26 used cocaine; in 1988, cocaine and crack use in this population decreased to 4 million — a 16-percent reduction.

Frequent cocaine use — defined as 12 to 99 times a year — has also declined. In 1982 there were 5.8 million frequent users of cocaine. In 1988, there were 2.4 million frequent users of cocaine or crack — an astonishing 58-percent decline.

These findings are striking because in this same period the production and supply of cocaine tripled, wholesale and retail prices dropped, and the purity and potency of the product, especially in its crack form, were higher than previously known.

The rapid and widespread decline in the use of cocaine or crack in a six-year period is unprecedented in American history. A comparison with the annual rate of cigarette smoking is illustrative. In 1982, 56 million adult Americans smoked cigarettes; in 1988, 54 million did — a modest 3-percent reduction despite massive public education and anti-smoking campaigns.

Notwithstanding this decline, doves assert that epidemic drug use among blacks demands that drug decriminalization occur so that funds can be diverted from sanctions and enforcement to education, treatment and economic development projects targeted specifically toward minority communities.

Hawks agree that drug use is high among blacks. They predict that legalization would in-

crease drug use among minorities and legalization would reinforce a perception among blacks that minority drug use is actually encouraged by whites as a form of racial genocide.

Both are wrong. The facts are otherwise. Every study that measures drug use by ethnicity or race shows that whites, not blacks, are the dominant users of cocaine and crack. In 1985, 9.8 million whites and 1.2 million blacks used cocaine — a ratio of 9-to-1. In 1988, 6.2 million whites and 971,000 blacks used cocaine and crack — a ratio of 7-to-1.

NIDA surveys have consistently found that the demographic profile of the dominant users of cocaine or crack or heroin or marijuana are the same: white, 18-34, employed and high school or college graduates. Drug use is, by far, a white majority, middle-class problem. The demand for cocaine or crack is driven by a white-dominated consumer market.

Doves then argue that legalization would reduce or prevent crime. Legalized drugs would be sold at low cost and users would no longer need to resort to burglaries and robberies to obtain funds.

Continued on Page 14

(Jerry Miron, a former undersheriff of Pinellas County, Fla., is president of The Miron Group, a consulting firm specializing in criminal justice and drug-control policies. He is also the Principal Associate for the U.S. Justice Department's Narcotics Control Technical Assistance Project.)

Other Voices

A sampling of editorial views on criminal justice issues from the nation's newspapers.

Don't lock 'em up

"Though polls show that nearly three out of four Arizonans favor probation or house arrest for non-violent offenders, the state has moved ahead — 'crept' might be preferable — with glacial velocity. At the end of last year, only 415 probationers had been placed in the Community Punishment Program, all but 96 in Maricopa County. Part of the problem is funding. Last year the Legislature diverted \$2.9 million from the Department of Corrections budget to fund alternative sentences, and about twice that amount is being sought for the coming fiscal year. Unfortunately, Corrections wants 'its' money back, and the Legislature may buckle. But not all the problem has to do with money. Fearful that even non-violent probationers will commit violent crimes, many judges prefer prison sentences, which minimize short-term risks, but at enormous costs. Apart from the recognized failure of prison rehabilitation and the relative success of alternative sentencing, the dollar costs of confinement are becoming prohibitive. Given the high cost of imprisonment in Arizona, it is unthinkable that the Legislature would not want to encourage alternative sentences. Some judges may be apprehensive, but the accustomed practice of imprisoning non-violent offenders — they constituted an incredible 59 percent of Arizona's prison population in 1988 — only contributes to the assembly-line production of career criminals."

— *The Arizona Republic*
March 11, 1990

To shoot or not to shoot

"A number of troubling issues awaited Police Commissioner Lee Brown when he arrived from Houston in January. But none has put him more squarely on the spot than the increasing number of fatal shootings by police. To date this year, there have been 12 victims — 10 of whom were themselves armed. Last week, Brown appointed a panel of experts to review Police Department rules on when cops can fire their weapons. Brown says that the current guidelines, in place since 1972, 'are consistent with my beliefs.' But he also notes that the nature of crime in the city 'has undergone a dramatic transformation' with the arrival of crack. 'I'm not suggesting anything is broken,' he adds, 'but we're always looking to improve things.' He's right, of course. New officers routinely receive Police Academy instruction in when and when not to shoot. But clearly the policy governing deadly force — which can be used when a life is in jeopardy — should be reviewed regularly. This is even more important today, with the proliferation of powerful weapons in the hands of criminals. One point, though, Brown should strongly consider adding a working cop to the five-member panel of experts he has named. This would be one way to assure that the panel's findings have credibility with the cops on the street — the men and women who routinely risk their lives in the line of duty."

— *The New York Daily News*
March 26, 1990

Police Corps: Innovative plan can be important aid in crime fight

"The U.S. Senate will soon consider a bill to establish a Police Corps, a hybrid of a domestic Peace Corps and the Reserve Officer Training Corps (ROTC). Under the program, 25,000 participants each year would commit to two summers of training and four years of police work after college. In exchange, the government would repay up to \$10,000 a year in student loans. The bill makes sense as a way of meeting the nation's policing needs — especially the needs of big cities such as Detroit. What the program has going for it is that it addresses several problems simultaneously, including the need for more officers, better educated officers, and more minority officers. It also would supply individual college students with aid and — through its deployment provisions — ensure that more officers are assigned to neighborhood patrol by requiring that Police Corps members be assigned to community policing duties and that existing personnel not be removed from those duties. Still another benefit — not to be underestimated — is that over time a rather large number of civilians would gain a firsthand appreciation of the job that police officers do. The innovative approach has been kicking around for some time but now seems to have overcome earlier union opposition. During his 1988 campaign, President Bush was reportedly on the verge of supporting the Police Corps, but never did. Now would be an equally appropriate time for him to throw his support behind the concept. The Police Corps is an idea whose time has come."

— *The Detroit Free Press*
March 31, 1990

Smith, Pollack:

The run-on sentence: It's also bad justice

By Alexander B. Smith and Harriet Pollack

On Dec. 31, 1988, the prison population of the United States stood at 627,402. This was an increase of 7.4 percent over 1987, and translated into a nationwide need for more than 800 new prison beds per week. In eight years, the prison population in 18 states, the District of Columbia and the Federal prison system more than doubled.

In 15 years New York State saw its prison population quadruple to more than 40,000 prisoners. Considering that each prisoner costs the State about \$23,000 per year, the total bill for one year comes close to a staggering \$1 billion. This, of course, does not count the cost to local governments for maintaining jails. Even four new state prisons and additions to six older institutions will not solve the long-term problem. New York City, which since 1974 has been under a Federal court order regulating its jail population, has attempted to comply by expanding old jails, building new ones, housing prisoners in barges, and leasing state prisons in northern New York State.

The prisons generally are badly overcrowded, and prisons in 37 states are under court orders to remedy overcrowding and its concomitants, such as inadequate medical care. Florida was forced to release prisoners to make room for new inmates. Nationwide, with an increasing tendency of judges to impose prison sentences, especially in drug cases, it will not be long before each state will be left in the situation in which the Florida correctional system finds itself.

In spite of prison overcrowding, in spite of the cost to the taxpayers, some prosecutors and judges glory in imposing inordinately long sentences, particularly when the media have fastened onto a particular case. Three representative cases come to mind: TV evangelist Jim Bakker, who is serving a sentence with a maximum of 45 years; Bronx, N.Y., politician Stanley Friedman, who is facing a total of 19 years, and former school headmistress Jean Harris, who has served more

than half of a minimum sentence of 15 years. Admittedly, this trio committed reprehensible acts which must not be excused. Bakker preyed on the loneliness of his elderly TV audience to defraud them of millions; Friedman corrupted and bribed city officials; Harris, in a jealous pique, bought a revolver in Virginia, then drove hundreds of miles to Westchester County, N.Y., where she murdered her lover, a prominent doctor.

Like other defendants facing the bar, each of the three could have plea-bargained for much lower sentences. Instead, they availed themselves of their constitutional right to go to trial. When the defendants were found guilty, the trial judges imposed the above-noted sentences, which are probably constitutionally permissible. To what end? Will other TV evangelists take a chance of repeating Jim Bakker's frauds if they feel they might receive a six-year sentence? Will other powerful politicians repeat Friedman's corrupt practices if they are threatened with only five years behind bars? Will there be an open season on diet doctors if Jean Harris serves only a seven-and-a-half-year maximum sentence? No one of these three defendants will ever repeat the crimes for which they are doing time. If shorter sentences will give the message that the law is not to be trifled with, then why impose long sentences?

Bakker was sentenced by a judge who was proud of the nickname "Maximum Bob." Friedman's conviction was high-visibility publicity vehicle for a Federal prosecutor intending to run for high elective office. Accordingly, he pressed the Federal trial judge to impose a sentence which was more than double the sentences usually imposed on convicted crooked politicians. In a related state prosecution in which Friedman was

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Alexander B. Smith is professor emeritus of sociology and Harriet Pollack is professor of constitutional law at John Jay College of Criminal Justice in New York.

Lawrence W. Sherman thinks of himself in some respects as a social inventor—a description, he notes, that some social scientists may scorn. But after 20 years of experience and \$10 million in research funds, the results of his experiments—his inventions, if you will—have shaped current thinking and policy in numerous police jurisdictions nationwide. The body of his work is as prodigious as it is operationally inclined. Consider just a sampling of the topics he's tackled to date: domestic violence, police corruption, misconduct, and ethics; team policing; higher education for police; police discretion and leadership; career criminals; shootings by and of police; fear of crime; police liability; repeat calls for service; drunken driving; shoplifting; police crackdowns, and predatory crime. These areas represent just some of the arrows in his quiver—or if you prefer, strings on his electric guitar. (In what little spare time he has, Sherman has been known to punch out a chord or three on his electric guitar.)

Possessing a Ph.D. from Yale and two master's degrees, he is currently president of the Crime Control Institute in Washington, D.C. and a professor of criminology at the University of Maryland. During the mid-70's, Sherman, now 40, was known in some circles as the "boy wonder," having already authored numerous articles and reports on police-related subjects. He has studied at Cambridge, taught at the Graduate School of Criminal Justice in the State

University of New York at Albany, and was the Police Foundation's vice president for research.

Considered by his colleagues and numerous law enforcement officials to be one of the nation's leading police researchers, Sherman is known for unabashedly challenging conventional wisdom. There are few aspects of police work that he has not questioned—including policies and procedures that were based on his own previous studies. A case in point is the area of domestic violence. A study he conducted in Minneapolis in the early 80's showed that arresting the abuser led to a 50-percent reduction in recidivism, and prompted numerous jurisdictions around the country to implement preferred- or mandatory-arrest policies—much to the dismay of Sherman, who notes that the policy changes were premature and should have waited for the completion of replication studies now in progress. So far, he says, those studies appear to be generating different results.

His studies are sometimes controversial, his ideas often daring. He speaks highly of problem-oriented policing and reacts quizzically to the highly touted community-oriented policing, noting, "I don't know what community-oriented policing is. And I'm not sure anybody else does either." His audacious thinking can also be seen in the area of police organizational models. Rather than the old-

style military and emerging corporate models, Sherman contends that "the organizational model that is most appropriate to police work...is the university or the hospital," where those doing the bulk of the important work, be they patrol officers, professors or doctors, would command at least much income and prestige as those in managerial or administrative positions.

After two decades of police research, Sherman has witnessed what he describes as an astounding turnaround in the willingness of police agencies to cooperate with research. "It is a record to be proud of and it is an embarrassment to the prosecutors and the judges in this country who still have their heads in the sand with respect to the need for experimentation to evaluate what they're doing." He believes that research and development in the country are "terribly underfunded" and notes that lawsuits and liability issues often are the driving force for the funding of research. Given the "paltry" Federal budgets available for research endeavors, he hopes "that local police departments become more involved in funding their own research through local tax dollars." And when it comes to the pessimism that often pervades law enforcement and other fields when it comes to fighting drugs, Sherman remains ever the empiricist. Asked if there is any hope when it comes to finding strategies that work, he says succinctly: "I think so. At least it hasn't been proven to my satisfaction that there is no hope."

"The 20-year difference in the willingness of police agencies to cooperate with research is astounding. The police are right out front with the medical community in doing the best possible kinds of research to evaluate what they're doing."

Lawrence W. Sherman

Professor of criminology and veteran police researcher



Law Enforcement News interview
by Marie Simonetti Rosen

LAW ENFORCEMENT NEWS: You've been involved in numerous studies over the course of nearly 20 years and about \$10 million in criminal justice research. Of those studies, are there any you can point to that really changed policing?

SHERMAN: Well, the most colorful example of that is probably, for better or for worse, the Minneapolis domestic violence experiment. The question of whether police would have shifted toward more arrests without that experiment is hard to answer because there was a lot of other pressure for change. But the combination of the pressure and the research to justify making that change appears to have been very powerful. There's a major question of whether it should have been that powerful, and a number of my colleagues are increasingly of the view that the original findings should have been censored, because practitioners can't be trusted to make their own decisions based on research recommendations. Another way to put it is that they feel we shouldn't be putting those kinds of research results out until more police departments have trained methodologists who know how to interpret them and not overinterpret them. But, of course, the major issue here is not just what the police departments did, but what the state legislatures did, in ignoring our explicit recommendations not to enact mandatory arrest laws.

LEN: Do you think research findings should be held back until

such time as a department is ready to handle them?

SHERMAN: I'm absolutely opposed to holding back research findings. I think the dangers of confusion or overinterpretation are far less serious than the dangers of either trying to censor research results or acting as if the practitioner community is not smart enough to deal with research findings. That's a very patronizing position for academics to take. If there is more to be learned in the practitioner community about how to interpret research findings, then what they need more than anything else is practice. And the only way to get that is to throw a lot of research findings at them and make them struggle with issues of methodology and research design and so forth that can in fact affect the interpretation of the results.

LEN: There may be a few readers who have not followed the domestic violence issue, so briefly, in 1977 the Detroit and Kansas City study showed the role of threats as possible predictors. And then in 1982, you had the Minneapolis experiment. . .

SHERMAN: The experiment actually started in 1981. The Kansas City data suggested that there was some notice on police about domestic homicide because such a high portion of homicides had been preceded by police calls to that address—not necessarily to the same couple, however. I've done two things to follow up on that finding. One was the first controlled experiment in the use of arrest for any offense, which was conducted in Minneapolis from 1981 to 1982. And the finding of that controlled experiment, in cases of

misdeemeanor and domestic violence, was that arrests, randomly assigned, had a 50-percent reduction—that is, from 20-percent recidivism down to 10-percent recidivism—compared to non-arrest responses to similar incidents. The impact of that study was to move many police departments to making arrests where they had not done so before, and it has also moved the Justice Department to fund replications of that research in six cities. One of those applications, the one in Omaha, has been reported, and it failed to find a significant difference in recidivism between the arrest and the non-arrest cases. It's a very good illustration of the reason why we argued in favor of replications and against mandatory arrest laws, because we knew it was not necessarily going to apply to all cities around the country. So now we have two experiments, one finds a deterrent effect and the other one doesn't. That's just the kind of findings that practitioners will have to make sense out of, in an uncensored way, and indeed, await further replications of.

The second study that we have done to follow up on the Kansas City finding is our Milwaukee analysis of threats and of homicides. We found that in 15,000 cases of prior assault, only one homicide followed an assault that the police department had records about. Out of 110 cases with threats to kill in domestic situations, not one of them was followed by a homicide within the time period. And out of 33 homicides within the time period, 32 of them had no prior warnings or cases on record with the police. So I think we have shown that it may be easier to predict and deter minor assault than it is to predict and deter domestic homicides—unfortunately so—

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and we're attempting to follow up with further research on that question.

LEN: In a situation where a police agency may be putting a lot of time and energy into dealing with repeat domestic-violence calls, how do the victims feel? Certainly, women's groups might say, "Well, now that they know we're not going to get killed, they're not going to bother to arrest those who beat us."

SHERMAN: It's a tough problem because some of the women who are getting killed have been beaten, but that's not being reported to the police. So the unknown question is whether, if they had reported the cases to the police, it might have forestalled the homicide. Pat Langan's data from the Bureau of Justice Statistics suggest that when women do report to the police, there is a 50-percent lower rate of repeat assault in domestic situations, but that was not an experiment so we don't know whether it was simply because the kinds of women who do report to the police are less likely to get reassaulted, as opposed to a causal result of reporting things to the police. So that question still remains up in the air. The question that I think is settled from the standpoint of lawsuits against the police departments in failing to prevent domestic homicides is the fact that these homicides are essentially unpredictable, based on what the police know, and therefore are unpreventable.

The arrest budget

LEN: What advice might you offer a police chief on how much time and effort to put into domestic violence calls?

SHERMAN: I would say that the answer depends very much on the context of crime in the community. As you know, I have recommended a strategy of arrest budgets as a way of understanding the nature of the challenges with respect to crime that the police face in any specific community. As a procedure for rationalizing those choices, an arrest budget would tell a police chief exactly what 10,000 mandatory arrests for domestic violence would cost him in his ability to do stakeouts for armed robberies or to do proactive drug enforcement to dry up demand or other choices about other problems that may be of great importance to the community. So I don't think that there should be a flat enforcement priority system across every community. Herman Goldstein has written eloquently about the diversity of challenges that police face from one community to the next. I think it's a strong reason why we have completely decentralized police departments in this country, and we should revel in that diversity and allow each department to set its own priorities.

The problem with mandatory-arrest laws for certain offenses is that it rides rough-shod over the ability of a local community to set its own priorities. In a context where, for example, there is a very high number of robberies of certain commercial premises in which people are getting murdered, and yet there may be a relatively low number of domestic homicides, it still may force the police department to put five times as much effort into dealing with domestic violence as it is putting into preventing commercial homicide. Those are the kinds of choices that I think chiefs should be free to make in consultation with the community, rather than having state legislatures ram the decisions down their throat.

LEN: When you made your presentation on arrest budgets at the National Crime Conference in March, some law enforcement people in the audience absolutely gasped when you mentioned it because it does sound like a synonym for quotas...

SHERMAN: It's exactly the opposite of quotas; it's a synonym for

limits. The whole point about budgets is to spend below the limit, rather than spend up to the limit. Nobody has ever gone bankrupt for spending less than they had budgeted, but certainly they can if they go over their budgets, and that's what's happening to police department budgets with overtime and other consequences of making more arrests than the department really has resources to deal with.

LEN: Hypothetically, if you had an arrest budget in place in a city, and halfway through the year you have exhausted the budget on one of the Part I crimes, what do you do?

SHERMAN: You deal with the management and the people in management positions who allowed that to happen, because you don't have to wait till July to discover that you spent your arrest budget. You ought to be getting weekly or monthly reports on the number of arrests within each precinct command or other unit that have been made for various offenses, and you ought to be going back to top management, if need be, to say, "Look, we're spending way over budget. What do you want us to do? Do you want us to stop making arrests for prostitution in the Times Square area because we're way over budget on that, and to deal with community group outrage that we're not making as much enforcement as they want us to, or do you want us to go over budget and tack on some other kind of offense?"

The reality is that police departments have been making those choices for a long time. They've just been doing them in a hit-or-miss fashion in which neither the police department nor the city council is making clear-cut choices on an annual basis. Instead, they're making choices to get by with on a day-to-day basis. I don't think that's the best way to control crime in our cities or to make democratic decisions about which sort of offenses we think are the most important.

If the truth be told

LEN: How palatable to the community would something like this be? Without a lot of education they might feel that they're not going to get the kind of arrest abilities they may want...

SHERMAN: No politician has found that he's done very well by telling the truth. When we have politicians who talk about the need to either raise taxes or cut budgets, they don't get elected. The people who say you can have it all are the ones who get elected. The reason that this proposal was unpopular with police administrators may be that it takes away the ease with which they can deceive the public

problem of managing the data with 5 or 6 million calls a year in New York, compared to 350,000 a year in Kansas City, which probably has the best situation for computers in the United States.

LEN: Your reference to calls for service, and the analysis of them, brings to mind the Fenway Project up in Boston some years ago. There, the analyses resulted in print-outs that were several inches thick. Is there such a thing as too much analysis?

SHERMAN: Absolutely, and one of the things that we have to learn how to do is to produce information in a usable form for police officers when they need it in ways that will be useful to them. If you're generating a printout every day or every week on the most active locations in the city, there should be a reason for that. The reason should be to select targets for enforcement activity, whether that enforcement activity is a problem-oriented policing strategy or simply having increased patrols there. But somebody's got to be given the time to absorb the information and recommend an enforcement strategy. If that doesn't happen, then there's no point in producing the information because it just gets piled up.

There are other things that you might not want to produce reports on, but simply allow queries to be made. For example, say a burglary happens or a break-in and a rape in a single-family house. If you have your computer programmed right, you can have it give you a list of all persons within a one-mile radius who have a prior criminal record for rape or who have been recently released from prison or what have you. To the best of my knowledge, that kind of set-up for computer systems is simply not available to investigators in those police departments, even in big cities.

LEN: Let's focus for a moment about your recent Hot Spots patrol experiment. In that report you note that a 250-percent increase in patrol presence at targeted hot spots produced a 13-percent reduction or displacement in total calls for service, most of which were soft crimes. Do the results justify a 250-percent increase in patrol presence, given concerns about deployment in times of manpower scarcity?

SHERMAN: Well, it all depends on what you would be doing with the police officers' time if they weren't directing their patrol attention to the hot spots. If, as is all too typical, they're spending their time driving up and down well-traveled commercial boulevards where the deterrent effect of other peoples' presence is already created by civilian automobiles, then I think it's time well spent to be parked in the hot spot where crime is most likely to occur. If they

"Calls for service are like letters to a Congressman, which are nominated by a tiny group in the community that takes the energy to bring an issue to [his] attention."

into thinking that the public can have it all — and they can't.

The fact is we have to make choices. Nobody likes it when choices are made, so if we do it quietly and not tell people what the choices are, they don't get as angry about it. But I don't think they're better served that way. What's needed is more courageous leadership to get the public involved in making some of those choices. Nobody likes Gramm-Rudman either, so what's happening is that Congress has really made a cop-out. They can't deal with their own special-interest groups fighting over who should get larger chunks of the pie, so they do an across-the-board reduction, essentially freezing the priorities where they've been for the past 10 years. I don't think that's good for democracy, and it suggests the need for a parliamentary system rather than our current system.

Information, please

LEN: At a conference in October, while talking specifically about the New York City Police Department, you said that what they needed was not more police, but more computers. Do you think that applies to many departments across the country, and can you explain why you think that's a good thing?

SHERMAN: At the level of computerized crime analysis and access by patrol officers and field commanders to important information about crime patterns, every police department in the country needs to be spending more money on hardware and programming. I think the payoff in crime control from doing that and from acting on that information is probably greater than spending the equivalent dollars on an additional police officers' salaries. It's not just New York, although New York is far behind some cities with respect to computerization, and ahead of other cities. A major problem New York faces is simply one of size. It's fairly simple to off-load centralized data systems to a local level in smaller cities, most of which are the size of a single New York City precinct. There's a mammoth

were going to be doing something else that arguably had as much as deterrent value or greater, then you wouldn't want them in the hot spot. I think the burden of proof is on those who would suggest that there is something better for police to be doing with their time when they are not answering calls, from a standpoint either of patrolling crime or providing services.

LEN: Some police officials in New York feel that by July the calls for service are going to be so great that the police will not really have time to do anything else...

SHERMAN: Every police department in the world says they don't have enough time to do anything except answer calls. Then when you go out riding with them and there's no calls coming in, at least at the beginning of the ride, they'll say, "Gee, you should have been here last night." If you go riding on a Friday night in July, you will go from call to call. But if it's a rainy Sunday night in July, you can sit in that car for five or six hours and not get a single call, even in high-crime precincts. I know because I've done it hundreds of times.

Squeaking wheels

LEN: Looking at calls for service in the context of community- and problem-oriented policing and what the public really wants from the police department, one can think of calls for service as an ongoing public-opinion poll whose data can be analyzed to really let you know what the community is concerned about.

SHERMAN: That's an excellent example and I'm glad you chose, it because it shows exactly what's wrong with calls for service. A public-opinion poll is based on a random sample of a community with the goal of being representative of a broad cross-section of opinion. Calls for service are more like letters to a Congressman, which are nominated not by a cross-section of the community but by

"The problem with mandatory-arrest laws for certain offenses is that it rides rough-shod over the ability of a local community to set its own priorities."

Sherman: We have to reward imagination

a very tiny group in the community that takes the energy to bring an issue to a Congressman's attention. It's very easy, for example, for the National Rifle Association to flood a Congressman with letters opposing gun control, yet random samples of the community show that about 75 percent of the voters are in favor of improved gun control. If you were to judge by the Congressman's mail, you would think that the voters are 5-1 against it. If you look at the random sample, you get a very different impression. That's the problem with calls for service — people who pay taxes but don't call the police have very different priorities for what the police should be doing, especially with respect to disorder, than the people who call the police, and the police need to have a better way of balancing the demands for their services between the calls for service and the kinds of concerns people have that don't get articulated through 911.

LEN: It's interesting that you put it that way, because one of the nettlesome questions related to community-oriented policing would seem to be, "Just who is the community?" Is it the little district boards that meet with various members of the police department to articulate their needs, or just plain folks who never go to these community board meetings? How can a police department really get a feel for what "the community" wants?

SHERMAN: I think the good precinct commanders already have a sense of the important point here, which is the conflict within communities about what they do want. The tendency all too often is to talk about community policing with this bucolic image of a peaceful English village in which everybody's friendly and gets along with each other and they have a 100-percent consensus about what kind of peace and order they want. The fact is that in big cities, where you have different ethnic groups, different age groups, different income groups living right on top of one another, you don't have a community. You have diverse, competing and conflicting communities in the same space, putting diverse pressures on the police, and the police have to make some choices. Where that conflict is great, it can lead to violence about the choices that they make, and yet it's still "community" policing because they are responding to an issue at a community level. I think we've raised expectations way too high about being able to police all of the community all of the time, and we need to talk a lot more about the conflict and the irreconcilable differences that are built into responding to neighborhood concerns from different groups in the neighborhood.

LEN: Given the way the tide of community-oriented policing is sweeping the country, can you point to any other problems that are inherent in that philosophy, where a department that adopts such an approach too quickly can go haywire in some way?

SHERMAN: I don't think we've documented these problems nearly as much as we should have, and there's a number of reasons for that. For example, look at what community policing means. I think that very often it means less than it sounds like. We can have a variety of public relations programs, storefront efforts or community outreach meetings without really changing the nature of a police officer's day and how the officer spends his or her time and what kind of priorities he or she devotes that time to. If it's still just answering calls and tacking a few meetings on top of that, then I don't think we've really changed much. So I would dispute the idea that community policing is sweeping the country. Talk about community policing is sweeping the country, but I don't think actually doing community policing, in the sense of doing anything other than what we've been doing in the last 20 years, is sweeping the country. If it does, it will probably be in the form of problem-oriented policing, which is to say, trying to identify priorities for certain groups in a local community and trying to figure out ways of solving the problems that have been identified as priorities. That's very different from being an Officer Friendly or doing foot patrol or a lot of the other things that get associated with community policing. Ironically, problem-oriented policing can be done very effectively in ways that please the community, without taking one minute of the community's time. That's where better analysis of computerized data systems can help lead the police into some objective choices about where the problems are greatest in a community and what action they might be able to take on it, without necessarily getting the community involved. I would say pragmatically that if the community can help, fine, get them involved. But don't get the community involved just for the sake of having them involved. They don't particularly need or want that, I don't think, and that's why they're paying taxes for the police salaries.

Defining one's terms

LEN: Is that to say that if you had to choose between community-oriented policing and problem-oriented policing, you would choose the latter?

SHERMAN: I would choose problem-oriented policing only because I know what it is. I don't know what community-oriented

policing is, and I'm not sure anybody else does either. [New York City Police Commissioner] Lee Brown can give you a very articulate definition. I think that if you look at it very closely it has to do with values about how police work is performed, and transforming those values is a very important and worthwhile task. It's a very difficult task. It takes a long time to change an organization's or an occupation's values, but it can often make a big difference in the quality of the service that's provided. There's lots of examples of that at the corporate level. I certainly don't want to detract from any efforts to do that, but I do want to suggest that that's something different from an observable strategy of how you accomplish goals for a police department.

LEN: Do you think the new Uniform Crime Reporting system will help to provide police with the data they'll need in a way that will help them in analyzing what it is they do and how they do it?

SHERMAN: I think that the National Incident-Based Reporting System data at the local level can be extraordinarily useful. Go back to my comment that we get more crime control out of computers than from hiring more cops. Once you have all that incident-based stuff in the computer, then you've got something that's much more informative than calls for service, which we still haven't made full use of. You get all of these patterns of victim-offender interaction, time of day, modus operandi, and with skilled programming and good police experience being applied to those data, the chances for increasing the risk of apprehension, for deterring criminals and incapacitating them, I think, could be absolutely substantial. We're not going to eliminate crime, but boy, you could take a pretty big bite out of crime by using that information wisely and effectively.

More R than D

LEN: How would you characterize the current levels of funding committed to police research and development in this country?

SHERMAN: Police research and development in this country is terribly underfunded and the irony is that lawsuits are leading to more research and development than we have without lawsuits. While many suits against police departments are frivolous and may

commitment to R&D?

SHERMAN: The biggest weakness with R&D right now is with the D. We've been pretty good at knowing how to do the R, but we have to reward imagination more, and we have to find ways to encourage people to invent new ways of doing police work that might be more effective. The problem really is that academic culture devalues invention. If you look at Edison or Marconi or any of those people, they never worked in conjunction with universities. They were out on their own as entrepreneurs. Universities are much better at evaluating and making sense out of what happens in society than they are necessarily at producing the new inventions. There's exceptions to that with biotechnology and some other areas, but I think social scientists are particularly likely to be scornful of social inventors — if not scornful then to be very wary and suspicious about the danger of new inventions. I think many academics distrust the police, dislike the police, and shudder when they hear suggestions that police work needs better inventions to help do it more effectively. To them, that's just an invitation to fascist oppression.

LEN: How is the whole field of police research different today from, say, the days of LEAA?

SHERMAN: There's been enormous improvement in the quality of the research designs, in the quality of research, and in the ability of police departments to follow through on the implementation of controlled experiments. The early attempts to introduce rigorous experimental designs were actively subverted in a number of police departments. The recent record of controlled experiments has been one of much less active subversion, maybe some passive resistance, but that's very different from officers intentionally driving into control areas of Kansas City, just trying to ruin the experiment for fun.

LEN: So the police community is doing better when it comes to allowing research within individual departments?

SHERMAN: I think that the police chiefs in 1970, if they were all alive today, could be brought to a meeting and be told how many times police patrol or police arrest or police targeting of high-

"As long as the National Institute of Justice budget is a paltry \$20 million a year. . .there's simply not enough to go around."

be a waste of taxpayers' money, one of the good things coming out of it is that we're taking a better look at some of the critically important aspects of policing. Hot pursuit policies, for example, are being shown increasingly to be far more dangerous to police officers and others than had been previously imagined, and perhaps we can see some policy development coming out of the research being done in the liability area on that question. Increasingly, our own research on important questions is being funded through liability. For example, our study of our prediction of domestic homicide was funded almost entirely by law firms involved in the defense of police departments, and in one case by an apartment complex where a domestic homicide had occurred. So if it hadn't been for the lawsuits, we wouldn't have been able to follow up on the earlier Kansas City study on the prediction of domestic homicide. Liability financed the study, whereas if you went to the city council and asked them to appropriate research and development funds out of local tax dollars just because it would be good for policing, they probably wouldn't do it. Basically, you'd have to have a gun pointed to their heads. The New York City Police Department has established a valuable precedent by putting a line-item in the department budget each year to contract with the Vera Institute of Justice for the kinds of management and policy research that the department does not have an in-house capacity to perform. As long as the National Institute of Justice budget is a paltry \$20 million a year in relation to the multibillion-dollar budget for American law enforcement, you see clearly that there's not nearly enough money for police departments all over the country to support their R&D efforts with national funds. You divide \$20 million by 14,000 police departments and there's simply not enough to go around. I think we should make the case that local police departments should be more involved in funding their own research through local tax dollars or some other means. I'm certainly not saying I'm glad there are all of these lawsuits out there, but I am suggesting that there ought to be more initiatives on the part of police departments to engage in the kinds of policy research that typically has been funded by the National Institute of Justice and the Police Foundation.

LEN: What areas are still unaddressed when it comes to research and development and the Federal Government's com-

priority offenders has been randomly assigned for the purposes of research, and they would all either roll over in their graves or shoot us. The 20-year difference in the willingness of police agencies to cooperate with research is astounding. It is a record to be very proud of and it is an embarrassment to the prosecutors and the judges in this country who still have their heads in the sand with respect to the need for experimentation to evaluate what they're doing. The police are right out front with the medical community in doing the best possible kinds of research to evaluate what they're doing.

LEN: Last April, in testimony before Congress concerning the crime problems in the nation's capital, you suggested that a very quick fix might be the use of private security for such things as traffic enforcement, thereby freeing officers for more intensive patrol. Given the work that you've done over the years, how do you feel, generally speaking, about the rapid growth of the private-security field in terms of the production of public safety?

SHERMAN: I think it is inevitable that the American public turns more to private security than they turn to public police for crime control, in part because of the physical geography of this nation. We are increasingly moving to having the middle class living in controlled-access environments. Albert Reiss has said that this nation is becoming a prisoner of private spaces — modern-day cliff dwellers — and if you look at how people isolate themselves in their homes, their automobiles, and their office buildings, you realize how much time they're spending in space that is protected by private guards — and appropriately so because you don't necessarily want police patrolling the lobbies of office buildings. But the upshot is that people want to invest less money in public policing because they, in effect, lose interest in the crime rates in poor neighborhoods as long as they can stay away from them themselves and stay in places that are highly protected by private security. That's bad for our society, obviously, and the disinvestment in public safety and the increased investment in private safety raise issues of class, equality, and the increasing gap between the rich and the poor. I'm not comfortable with any of that. I think it's fine to protect private spaces, but we need to be equally committed to providing a safe public environment.

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LEN: We have heard of private security groups, primarily doing work in apartment complexes, who boast of the fact that they do not have to worry about search warrants or things like Miranda, and if they suspect someone in the apartment building is dealing in drugs, they just go right on in. Aren't there some problems with civil rights when it comes to all of us turning into privately-protected cliff dwellers?

SHERMAN: Again, it's the very notion of private property in the Constitution and the idea of civil rights being to protect us from the government. Once we decide to live in private spaces, then we are at the mercy of the landlord because the landlord owns the space and controls the space under historic property rights. Given that the landlord owns it, he has both a duty and a legal liability to protect those spaces and the people in them from harm which may require him to get drug dealers with methods that would be unacceptable for the government to use. I think that we assume the risk of abuse of landlord powers when we choose to live in private spaces rather than to emphasize our life in the public streets. It's not an easy choice, it's not a happy choice, but the fact is that the Constitution does not bar evidence produced by private citizens that has not been gathered in a way that the government is required to gather it. However, if you invade someone's privacy or violate any contract rights, then the guards that you're talking about who are bragging could wind up with a big, fat lawsuit. So I think there are restraints of private security abusing those powers.

'I did it my way'

LEN: If you were a police chief and you had almost no budgetary constraints — virtual carte blanche — how would you set up a police department?

SHERMAN: I would begin by working with the city council and community groups, as well as middle managers working with local community groups, to compile a list of general goals and priorities and specific objectives for the next year for the police department to accomplish. I would then review our organizational structure and operational strategies with respect to the accomplishment of those objectives, and I would try to make those objectives drive how the department is structured and what strategies we use rather than letting the structures and strategies drive the objectives. I think that's what we're doing right now. For example, if in meeting with people we discover that 70 percent of the things that police respond to are relatively low priority for the bulk of the community, we would attempt to put in radical, alternative response strategies with telephone report-taking, people coming in to see police officers in precincts who are sending the police officer out by appointment several days later. I don't think we've done nearly enough to divert calls from immediate, rapid response in most cities. So if we move in the direction of trying to accomplish other things besides rapid response to anybody who calls anytime, then we might reorganize the department to drastically reduce the number of officers in rapid-response positions and greatly increase the number of officers in problem-solving positions, broadly defined. That may include, in fact, having a foot patrol officer hang out at a high-crime corner, simply because we know a lot of violence happens there. And it may just warrant, in terms of its total picture in the community, having a permanent foot beat there, which you couldn't afford if you needed that officer to answer a lot of calls. But once you get rid of the calls that may not be as important as the violence that's going to happen at that corner, then you can afford to put the officer there. Now on top of that, you could have officers who aren't in uniform out on the street, who aren't necessarily investigating crimes that have already occurred but who are doing more public health kinds of problem-solving — seeking preventive actions like revoking liquor licenses of bars, perhaps more aggressive investigation and enforcement of after-hours clubs so that people don't get burned to death in them — a wide variety of problems you can pick out to work on proactively if you didn't have to spend the majority of your time answering calls. So I would let the organizational structure of the department be dictated by the objectives and priorities that are established through the democratic representation of politically elected officials and the local community contacts of precinct commanders and other police officials.

Moving up, and out

LEN: In the structure that you've just outlined, one group that was not mentioned is line officers. There is, at least in some areas, a bottom-up type of management that's being experimented with. Having said that, in many departments patrol officers are known to try desperately to get off the street. They seem to feel that somehow their job has been devalued to such an extent that there is a need to find a mentor who can get them into some kind of special unit. If you have a reluctant workforce at the line level, can all of these things really come to pass?

"I object to the negativism that academics like to throw at police efforts in this [drug] area. The last thing I want is for the police to give up hope that they can make a difference, because I think there's a good chance they can."

SHERMAN: I would question how much of bottom-up management is new. Most of the management in policing right now is being done by line officers. In their individual capacity, they're making decisions about how fast to respond to a call, how many cars get to go to the call, since officers often go to calls even when they're not assigned and dispatched. I would think middle management is playing almost no role at the moment in the allocation of police resources, with the exception of big cities where you have precinct commanders who have patrol officer groups the size of other cities. But if you go to the medium-sized cities, the folks in the stationhouse are basically doing paperwork and the decisions about how to do police work are being made out on the street. Now, would we consult with the officers who are making those decisions? Absolutely! If you want to set your priorities and objectives, you need to get as much information as possible, and I would think that the middle managers would want to be meeting much more intensively with their officers to get a sense of what those problems are. It's just that when you're the chief of police and you turn to the city council for priority input, you turn to community groups, and you turn to the middle managers, it's a more efficient process than if you start to sit down with 2,000 or 3,000 officers or even 500 officers and get their points of view. Presumably, your middle managers have already done that for you.

LEN: In policing, generally the only way to get ahead is vertically, and that means even though you may love the street and love being a foot patrol officer, to get more money and prestige you're going to have to move up through the ranks and move than likely wind up behind a desk. Is there anything to the notion of horizontal promotions?

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— to avoid legal challenges later on. Will Aitchison, a lawyer who is the author of "The Rights of Law Enforcement Officers," said police agencies and unions have to agree on procedures to guarantee testing proficiency while ensuring that the rights of employees are not violated. Issues that need to be examined include the standards and procedures that would be part of a proposed testing program, privacy rights, and making sure that employees know they are "entitled to all of the records, the right to check the calibration on the machines in the lab, and whether those employees who test positive get rehab, treatment or if the employee is immediately subject to discipline."

"I think the employer and the employees have to sit down and work all of that out in advance if you're going to have a drug-testing program that is at all perceived by the employees as being fair," Aitchison told LEN.

SHERMAN: I think that the organizational model that is most appropriate to police work is not the military but the university or the hospital. I think that the importance of the work being done is so great that the pay structure should be such that the people who do the work the best make a lot more money than the people who are in charge of the organization. That's the way universities are organized, that's the way hospitals are organized. The senior surgeons make a lot more money than the hospital administrators; senior professors are paid — both in salary and outside consultation — compensation that is far in excess of university president. We need to set a similar system for police departments whereby line police officers can grow in income, status and perhaps even authority while they are actually doing police work, rather than taking them out of doing police work as the only way they can get ahead in life.

Holding out hope

LEN: What does the future hold for you in the way of research plans?

SHERMAN: I'm currently working with the Kansas City police to specify the objectives of drug enforcement and then try to measure them through controlled experiments in the enforcement strategies and tactics.

LEN: In the past you've expressed concern about the fact that so much money is being put into anti-drug strategies with no evaluation going on at all. Do we yet have any idea what works in this area?

SHERMAN: In fighting drugs? I don't think we know yet. I think the crackdown approach that will be reported shortly in the March issue of the National Institute of Justice Bulletin raises some hope but it also raises a lot of caution about the diminishing returns you get from sustaining a crackdown over a longer period of time. My proposal is the idea of rotating crackdowns, of polling them away sooner than you might otherwise, because it appears there's a residual or "hangover deterrent" effect — if you establish deterrence in the first place, and then you pull the police out, it seems to take a while before people notice. It's probably stronger with offenses other than drug markets since there's such a strong economic incentive to come back and start dealing. It's been reported in New York that when the Tactical Narcotics Teams pulled out, the dealers were back the next day. That has not happened with drunken-driving enforcement, prostitution enforcement and other kinds of crackdowns in the past. They've tended to have a much longer residual deterrent effect. There's an awful lot of questions about what works with drug enforcement strategy and I think they're questions we'll have to answer, even though critics will say: "What's the point? You're just rearranging deck chairs on the Titanic. There's no hope of police making a dent in the drug traffic in this country." I don't think that's been proven yet and I object to the kind of pessimism, the negativism that academics in particular like to throw at police efforts in this area, especially because they succeed in persuading the police that they can't do anything and can't be of any use. The last thing I want to see happen is for the police to give up hope that they can make a difference, because I think there's a good chance that they can. They're not going to eliminate drugs like we eliminated smallpox but the lessons of history that David Musto at Yale University has examined suggest that if we mount enough enforcement pressure on a drug epidemic, eventually it goes away.

LEN: So there's hope.

SHERMAN: I think so. At least it hasn't been proven to my satisfaction that there is no hope.

Drug-testing precautions urged

Continued from Page 6

— to avoid legal challenges later on. Will Aitchison, a lawyer who is the author of "The Rights of Law Enforcement Officers," said police agencies and unions have to agree on procedures to guarantee testing proficiency while ensuring that the rights of employees are not violated. Issues that need to be examined include the standards and procedures that would be part of a proposed testing program, privacy rights, and making sure that employees know they are "entitled to all of the records, the right to check the calibration on the machines in the lab, and whether those employees who test positive get rehab, treatment or if the employee is immediately subject to discipline."

"I think the employer and the employees have to sit down and work all of that out in advance if you're going to have a drug-testing program that is at all perceived by the employees as being fair," Aitchison told LEN.

Few departments currently offer rehabilitation for employees who are implicated in drug use through a urinalysis screening, but it is generally agreed that a department needs to decide whether employees should be given a chance to rehabilitate themselves or if the indication of drug use should be a *per se* cause for dismissal. In Boston, where the Police Department's drug-testing program has been tied up in the courts for the past two years, officers are fired if implicated as users of illegal drugs. Frank McGee, the lawyer for the Boston Police Patrolmen's Union, who is spearheading the fight against the testing program, said he will make rehabilitation an issue when the case is heard this year in State Superior Court.

"We are contending that, at the very least, if an officer is detected having a controlled substance in his system, and it's of a nature as to impair his ability to perform his duty, then as a minimal matter, the department should at least provide some rehab measures, rather than a forthwith firing," said McGee.

Criminal Justice Library

Updated look at MOVE crisis offers help, but no bombshells

The MOVE Crisis in Philadelphia: Extremist Groups and Conflict Resolution. By Hizkias Assefa and Paul Wahrhaftig. Pittsburgh, Pa.: University of Pittsburgh Press. 1990, \$9.95.

By Robert J. Loudon

How may we learn and benefit from the disastrous May 1985 encounter between the MOVE extremist group and the government of the city of Philadelphia?

Local and Federal grand juries were unable to determine criminal wrongdoing by the City of Philadelphia or by any of its employees who were involved in the siege, which ended when police dropped a bomb on MOVE's fortified house, killing 11 people inside and torching off a fire that destroyed 61 homes. The civil lawsuits attempting to fix liability and damages for the episode will no doubt go on for years.

Since criminal responsibility has not been determined and civil responsibility will not be fixed in the near future, we must look elsewhere for object lessons. This short text by Assefa and Wahrhaftig contributes to such lessons.

In the broadest sense, conflict resolution may range from avoidance to annihilation. Conflict resolution is most frequently used today in the context of

striving to arrive at amiable settlements, or non-violent solutions with minimal hostility, for complex problems. The full range of options was unsuccessfully attempted in dealing with the MOVE affair.

The book examines the MOVE Philadelphia crisis over a period of more than 10 years. The emphasis is on two striking failures at peaceful resolution, the first in 1978 and again in 1985. As in many accounts of this horror, the text makes comparisons between the 1978 and 1985 confrontations. The authors also go back further and provide a needed historical perspective. We see that the period prior to 1978 and interlude between 1978 and 1985 allowed for a fueling of the fires that were later to erupt—or, at best, enforced mutual distrust and a cold-war atmosphere.

Throughout the book, fact and opinion concerning parties to the conflict are accompanied by instructional information about various approaches to peaceful resolutions for problems. Standard dispute-resolution methods—communication, negotiation, mediation—are described, but too clinically. Conflict resolution in stress/crisis situations is vastly more vigorous and fluid than the largely detached manner in which it is presented here. One would almost be led to believe that a simple application of skills would have saved the day. The authors' approach, however, does provide the reader with an important overview. This global look must have eluded the original participants. They would probably say that they were too close to the verity and tension of the time.

This study then aptly demonstrates that in the heat of conflict one important tactic may be to stand back, view and review. It is often said that such an approach is easier said than done. But if at least some of the blood, sweat and tears (a cliché sometimes says it best) could have been avoided on both sides, then this is a tactic that deserves thoughtful consideration. In the field of hostage negotiation, which is one area of conflict resolution that deals with extremist groups, this tactic would be similar to a period of "dynamic inactivity"—consciously engaging in no proactive physical activity but using the time to rethink and plan. It is not a matter of avoiding action but of better assessing and preparing for the ramifications of various contemplated actions.

Another accomplishment of the authors is that they have managed to undertake a complex study of a subject about which there is no shortage of intense emotion and present the material in a flowing manner. They are to be commended for making this work readable. The ability to have produced the original edition of this informative document (Praeger Press, 1988) in a timely manner is also a plus. All too often studies are published so long after the fact that much of the drama and intensity have faded and the study then has less of an impact.

The downside of a timely book is that there are parts of the story which are yet to be told. The local and Federal grand jury reports on the incident were released soon after the Praeger edition.

Continued on Page 14

Legislator sees new hope for bill to increase minimum police training

Continued from Page 1

states, noted June Baker, the program administrator.

"Because we have not had a lawsuit, there has not been any big push for any more [training] hours," Baker said.

Training requirements, different for each kind of jurisdiction, represent a patchwork-like system of training for Missouri peace officers. For example, Baker noted, State Highway Patrol officers are required to complete 1,000 hours of training to become certified, while deputies in rural sheriff's departments can be certified after completing a minimum of 120 hours. The proposed increase to 420 hours would make training more "consistent statewide," she said, adding that because of the diverse requirements now in force, the state has to operate 16 academies to provide for the varied levels of training.

Baker said some concerns have been expressed about how small agencies would provide manpower coverage and the funds for those employees who might be required to obtain more training. But, she pointed out, "We don't hold the training funds. The only authority that we have is to make sure the training's out there. Extra training is up to department heads."

Those department heads will have to devise some way to provide manpower coverage and the funds for increased training, said Perry Winget,

executive director of the Missouri Sheriffs' Association and a supporter of the Harpool bill.

"That's a matter for the individual departments to work out. The costs are also a concern but the cost of a lawsuit for improper training wouldn't begin to compare with what the training would cost," he noted. "It's an investment, we'd hope, in more improved service and better protection."

Capt. Paul Corbin, who oversees the training of Missouri Highway Patrol recruits at the patrol's Jefferson City academy, said it's time Missouri "started catching up" with respect to training.

"I'm very much a proponent, even though our troopers are among the most highly trained in the nation," Corbin

noted. "Some of the people we work with are some of the least trained in the nation—and yet we have to enforce the same set of laws. They get killed just as dead and hurt just as bad by the people they come in contact with, yet they don't have adequate training."

Raytown Police Chief Kns Turnbow, who is the current president of the state's Police Chiefs Association and is also a member of the POST Board, supports the bill and told LEN that the association is drafting a resolution of support for the increased training and plans to present it to the Legislature.

"We feel there is no difference in the types of tasks that [peace officers] perform," he said, "so why should there be any difference in the amount of training?"

A closetful of suits for Dallas PD promotion plan

Continued from Page 3

mony promotions that it had set for 1989. Spencer said 26 percent of the promotions to sergeant, lieutenant and captain went to blacks last year, 12 percent to Hispanics, and 16 percent to females.

Assistant City Attorney Sam Lindsay said the affirmative action measures taken by the city are "defensible and we intend to show that in court"

because the Supreme Court has ruled that promotions can be made on the basis of race or sex if there is a "manifest imbalance."

Lindsay said that all of the minority candidates were qualified for promotion, and added that no existing local, state or Federal rule compels officials to make promotions based on the order of rank on a promotional list.

F.Y.I.

(A roundup of capsule information on emerging research and writing, policy and practice, and other professional developments of interest to readers. Those wishing additional information on a given subject should contact the individual and/or organization listed for that item.)

Reconstructing Traffic Accidents

Northwestern University's Traffic Institute has published a 450-page, thoroughly illustrated and diagrammed text, "Traffic Accident Reconstruction," which is designed to serve as a companion volume to the institute's long-standing text, "The Traffic Accident Investigation Manual: At Scene Investigation and Follow-Up," now in its ninth edition. Arranged into 17 topic areas, the accident-reconstruction text costs \$75 per copy. Contact: Book Order Department, The Traffic Institute, (800) 323-4011.

Digitized Drug-Information Library

A "Drugs and Crime CD-ROM Library" was released Feb. 25 by the National Institute of Justice. The library, which has the storage capacity of 1,000 floppy diskettes, provides a wide range of information not previously available from a single source, including abstracts, full-text books, journal articles, images and data sets, and more. Cost of the CD-ROM library is \$195 (a free demo diskette is available). Contact: NIJ, (800) 851-3420.

Pretrial Urinalysis and Release Decisions

Research performed by the Pretrial Services Agency of the District of Columbia, with support from the National Institute of Justice, has found that confidential pretrial urine testing offers judges a reliable way to assess the risk of releasing a defendant. The findings are detailed in the NIJ Issues and Practices report "Assessment of Pretrial Urine Testing in the District of Columbia" (document number NCJ 119968). Copies are free from the National Criminal Justice Reference Service, (800) 951-3420.

Study in London

The United Kingdom Fulbright Commission in London is offering two special professional fellowships in police studies during 1991-92. Applicants must be U.S. citizens and have a minimum of five years' professional experience. The fellowship, which is for a minimum period of three months, is designed to encourage professional development and the exchange of ideas with British counterparts. Applications for the 1991-92 fellowships are available from the Council for International Exchange of Scholars, (202) 686-7878. Deadline for submission of applications is Aug. 1, 1990.

Training Liability

The National Criminal Justice Research Institute, a private-sector criminal justice services organization, has launched "The Police Training Liability Digest," a monthly newsletter that will analyze court decisions and other issues pertaining to police training liability. The newsletter costs \$75 per year. Contact: NCJRI, Police Training Liability Digest, (414) 646-4441.

Safety Guide

The Channing L. Bette Company has published "About Personal Safety," a booklet that offers up-to-date, common-sense ways for people to protect themselves from crime. Designed for distribution through public safety and crime prevention programs, police and sheriff's offices, and workshops or exhibits, the booklets can be personalized upon request with the name of a sponsoring organization, and quantity discounts are available. For a complimentary copy, contact: Sally W. Keir, Channing L. Bette Co., (800) 628-7733.

Purchasing Power

Police officers, particularly those from smaller agencies, have an alternative to paying high retail prices for uniforms and equipment. The Association of Law Enforcement Purchasing Agents Cooperative, which an officer or agency can join for a one-time, lifetime fee, pools the buying power of members in numerous states to offer reduced prices on law enforcement-related products from 20 manufacturers. Contact: ALPAC, (800) 446-4245.

Enhanced 911

US West Communications has developed a new version of Enhanced 911 emergency service that is designed for communities with 30,000 to 70,000 telephone lines. The service can be equipped with an optional software interface for computer-aided dispatch systems. The new version, soon to be pilot-tested in Fremont County, Wyo., should be available in US West's 14-state territory by mid-1991. Contact: Ken White, Product Development Manager, US West, (503) 464-1724.

Drug Prevention and Peer Pressure

A drug-abuse prevention program that teaches high school students how to resist social pressures can significantly reduce marijuana and cigarette smoking, but not alcohol consumption, according to a three-year study by the Rand Corporation. The \$8.8-million study of 30 schools in California and Oregon, funded by the Conrad H. Hilton Foundation, found that the program, Project Alert, was as successful in inner-city schools with large minority enrollments as in predominantly white, suburban schools. The Hilton Foundation is planning to make the Project Alert program available to school districts nationwide at no cost. Contact: The Rand Corp., (213) 451-6913.

Administrative, County Penitentiary. Monroe County (Rochester), N.Y., a community of 710,000, is seeking an administrator for the newly constructed Monroe County Penitentiary. The facility, situated in a suburban area, will house an average of 250 sentenced inmates, and will augment the Monroe County Jail, which has an unsentenced population of approximately 600.

The facility was designed with the "New Generation Jail Concept" to employ a direct supervision approach to the operation of the housing and program areas. The Administrator of the County Penitentiary reports to the Jail Superintendent and is responsible for a staff of approximately 75. Salary range is \$43,700 to \$56,300.

The candidate should possess excellent organizational and administra-

tive skills, effective oral and written communication ability, knowledge of corrections and criminal justice system, personnel management, budgeting, program development and equal opportunity employment laws. The estimated annual budget for the Penitentiary is \$5 million.

Qualifications: bachelor's or master's degree from an accredited college or university in correctional administration, behavioral science or allied field (e.g., criminology, sociology). Minimum of three years experience in corrections and administrative capacities.

Resumes should be forwarded to Undersheriff Patrick M. O'Flynn, Monroe County Office of the Sheriff, 130 Plymouth Avenue South, Rochester, NY 14614.

Police Officers. Cape Coral, Fla., is accepting applications from qualified persons for police officer positions.

Applicants must have the following qualifications: be at least 21 years of age; possess 60 credit hours, or two years full-time experience, or a combination thereof; be a U.S. citizen of good moral character; possess a valid driver's license; be in good physical condition, with vision correctable to 20/20 in each eye; be a non-smoker; pass a selection process.

Salary is \$19,822 per year, and starting candidates may receive up to 10 percent more based on education and experience. Additional money available through overtime and court pay. Educational incentive monies are available. Comprehensive benefits are included.

For further information and/or application, contact: Officer John Mahshie, Personnel Section, Cape Coral Police Department, P.O. 150027, Cape Coral, FL 33915. (813) 574-0690.

Fort Pierce (Fla.) Police Department Director of Administration

Salary \$26,915 to \$41,184

The Fort Pierce Police Department has 107 sworn personnel and 28 support employees. This position is responsible for management of the following functions: training, records, payroll/budget, MIS, and the accreditation project, and reports directly to the Chief of Police. A background in police operations and administration, fiscal management and MIS is preferred. A bachelor's degree is required with an emphasis in public or business administration or criminal justice. Five (5) years experience in management.

Apply to: City of Fort Pierce, 500 Boston Ave., Fort Pierce, FL 34940. Deadline date: June 29, 1990. EOE.

SUPPORT SERVICES MANAGER

City of Decatur, Illinois, population 94,000. Beginning salary DOQ \$31,764 to \$38,124, with growth potential to \$44,484; excellent fringe benefits.

This new position will manage the Support Services Division of the Safety Services Department to include animal control, parking enforcement, communications, records, and property and evidence activities. Qualifications include bachelor's degree in criminal justice or related field; master's degree preferred; and five years work experience in a criminal justice or fire service agency. Position appointed by the City Manager and reports to the Director of Safety Services.

Apply to: Charles Phillips, Human Resources Manager, One Civic Center Plaza, Decatur, IL 62523, by June 1, 1990. AA/EOE.

CRIME ANALYST

City of Decatur, Illinois, population 94,000. Beginning salary DOQ \$23,347 to \$28,022, with growth potential to \$32,697; excellent fringe benefits.

This new position is assigned to the Police Services Division of the Safety Services Department and is responsible for the collection, collation, analysis and distribution of information on crime patterns, trends and possible suspects. Qualifications include a master's degree in criminal justice or related field; minimum of two years experience as a management analyst in a criminal justice agency; or any combination of specialized training, education or experience. Position appointed by the City Manager and reports to the Director of Safety Services.

Apply to: Charles Phillips, Human Resources Manager, One Civic Center Plaza, Decatur, IL 62523, by June 1, 1990. AA/EOE.

Forum: Of drug-war hawks and doves

Continued from Page 8
to secure illegal drugs.

Hawks assert that drug prices are already low and crime has increased. Legalization would expand the availability of dangerous drugs and thereby exacerbate the violent crime epidemic which these drugs have created.

Each side is wrong. The facts are otherwise.

Drug use is not criminogenic like toxic wastes are carcinogenic. The causes of crime are multiple, not singular. Indeed, there is not even a statistical relationship between drug use and crime — a well-known conclusion repeated by FBI Director William Sessions, who wrote in the 1988 Uniform Crime Reports: "There is currently no way to measure accurately drug involvement in crime statistics."

What is equally certain is that the crime rate is *not* increasing. Since 1982, crime has decreased significantly in every category as documented by the National Crime Survey.

The NCS measures the volume and rate of 30 categories of crime incidents which are committed against victims. These victimizations include crimes which are reported and not reported to local law enforcement agencies. These annual surveys provide a more complete picture about crime than do the Uniform Crime Reports, which document only eight crime types, and then only those offenses that are reported to law enforcement agencies.

¶ In 1982, the NCS rate for all crime victimizations was 171 per 1,000 population; in 1988, the rate was 143 per 1,000 — a 16-percent drop.

¶ In 1982, the rate for violent crime victimizations was 34 per 1,000 persons, which dropped to 29 per 1,000 in 1988 — a 15-percent reduction.

¶ In 1982, the rate for robberies was 7 per 1,000 population, which dropped to 5 per 1,000 in 1988 — a 28-percent

decline.

¶ In 1982, the rate for household burglary victimizations was 78 per 1,000 households; in 1988, it was 61 per 1,000 — a 23-percent reduction.

¶ The rate of reported crime documented by the UCR was exactly the same in 1982 and 1988 — 56 per 1,000 population.

If there were a causal connection between drug use and crime, one could reasonably conclude that the decline in drug use from 1982 to 1988 is the explanation for the decline in crime victimizations in the same six-year period. Attractive though the conclusion would be, no one has made such a claim.

Drug use and crime victimization data should remind those interested in the legalization debates that we are not a nation of drug users and still less a nation of abusers or addicts. Three percent of the American population used cocaine or crack in 1988. A smaller percentage and number are abusers or dependent users; an even lesser number are cocaine or crack addicts. More importantly, the use of these and other illegal drugs was dropping even before the war on drugs was declared.

We are also witnessing a parallel decline in crime victimizations — a phenomenon which actually began in 1979. By 1988, less than 3 percent of all Americans were the victims of either an attempted or completed violent crime.

Finally, the actual profile of the dominant drug user should also be a reminder for those who seek to reduce drug use. They might do well to consult with blacks to discover why so few have used illegal drugs compared to their white brothers and sisters.

The results of such consultations would be more useful and productive than the recommendations proposed by either hawks or doves in the legalization debate.

Book on Move incident: ideas, not bombshells

Continued from Page 13

was published. The authors had found that it was "...not possible to interview representatives of the Goode administration because of a pending grand jury investigation of the 1985 bombing."

The promotional material that accompanied the Praeger edition had suggested that students of alternative dispute resolution would benefit from reading this material. They, as well as students of criminal justice and public administration, among others, probably would benefit. However, the cost of the original volume is beyond the budgets of many students. This reviewer had hoped that a revised edition, containing the grand jury findings, would be published in paperback. A paperback edition is now available from the University of Pittsburgh Press and should achieve wider dissemination because it is much more affordable. Unfortunately, though the findings of the two grand juries should have provided an interesting epilogue to this work, it has not been updated except for the addition of a short list of acronyms.

There is much that we do not know about the causes of conflict and violence. There is much that we do know

about alternative courses of action that may be considered when attempting to counter conflict and violence. This book may not explain the violence but it does illustrate that a more peaceful resolution for this particular conflict may have been possible.

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Upcoming Events

JUNE

18-20. The Reid Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. To be held in Honolulu. Fee: \$495.

18-20. National Conference on HIV & Incarcerated Youth. Sponsored by the National Commission on Correctional Health Care. To be held in San Diego.

18-22. Drug Unit Commander Seminar. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$395.

18-22. Safe & Secure Schools: The Prevention of Violence, the Promotion of Safety. Presented by the National Crime Prevention Institute. Fee: \$345.

18-22. Telephone Systems II. Presented by the National Intelligence Academy. Fee: \$650.

18-22. Traffic Accident Reconstruction II. Presented by the Traffic Institute. Fee: \$450.

18-22. Selective Drug Traffic Law Enforcement. Presented by the Traffic Institute. Fee: \$450.

18-22. DWI Program Management. Presented by the Traffic Institute. Fee: \$400.

18-29. Traffic Accident Reconstruction. Presented by the Institute of Police Technology & Management. To be held in Bellevue, Wash. Fee: \$595.

19-21. Law Enforcement Shotgun Course. Presented by the Institute of Public Service. To be held in Gainesville, Ga. Fee: \$300.

19-21. Homicide Investigation. Presented by the Center for Criminal Justice, Case Western Reserve University. Fee: \$195.

19-21. The Reid Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. To be held in Rochester, N.Y. Fee: \$495.

20-21. Uniform Crime Reporting School. Presented by the Criminal Justice Center Police Academy, Sam Houston State University. To be held in Huntsville, Tex. No fee.

21-22. Psychological Screening of Law Enforcement Personnel. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$295.

21-23. National Conference on Evaluating Drug Control & System Improvement Projects. Presented by the Criminal Justice Statistics Association, in cooperation with the National Institute of Justice and the Bureau of Justice Assistance. To be held in Washington, D.C.

22-23. Successfully Competing for a Police Chief's Position. Presented by the National Law Enforcement Leadership Institute, in cooperation with the Denver Police Department. To be held in Denver. Fee: \$150.

25-27. Drug/Alcohol Recognition Training. Presented by the Traffic Institute. Fee: \$350.

25-27. Drug Abuse: The Role of Loss & Crime Prevention. Presented by the National Crime Prevention Institute. Fee: \$265.

25-27. The Reid Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. To be held in Charlotte, N.C. Fee: \$495.

25-28. Police Media Relations. Presented by the Institute of Police Technology & Management. Fee: \$375.

25-29. 12th Annual International Asian Organized Crime Conference. Co-sponsored by the International Association of Asian Crime Investigators and the Broward Sheriff's Office. To be held in Fort Lauderdale, Fla. Fee: \$175.

25-29. Critical Errors Police Executives Make & How You Can Avoid Them. Presented by the National Law Enforcement Leadership Institute, in cooperation with the Denver Police Department. To be held in Denver. Fee: \$375.

25-29. Locks & Locking Devices. Presented by the National Intelligence Academy. Fee: \$650.

25-29. Police Planning Officers' Workshop. Presented by the Institute of

Police Technology & Management. Fee: \$395.

25-29. Symposium for School Resource Officers. Presented by the Institute of Police Technology & Management. Fee: \$395.

26-28. Financial Investigative Techniques. Presented by Financial Investigators Training Corp. To be held in Allentown, Pa. Fee: \$425.

27-28. Executive/VIP Protection. Presented by Richard W. Kobetz & Associates. To be held in Vancouver, B.C. Fee: \$375.

28-29. Terrorist Tactics & Negotiation. Presented by the Traffic Institute. Fee: \$175.

JULY

8-12. Vehicular Homicide/DWI Conference. Presented by the Traffic Institute. Fee: \$360.

9-10. Contemporary Terrorism. Presented by Richard W. Kobetz & Associates. To be held in Winchester, Va. Fee: \$375.

9-11. Retraining Seminar for the Traffic Accident Investigator. Presented by the Institute of Police Technology & Management. To be held in Winter Park, Fla. Fee: \$300.

9-12. Police Internal Affairs. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$375.

9-13. 17th Annual Training Seminar for Law Enforcement Chaplains. Sponsored by the International Conference of Police Chaplains. To be held in Mobile, Ala.

9-13. Field Training Officers' Seminar. Presented by the Institute of Police Technology & Management. Fee: \$395.

9-13. Interviews & Interrogations for White-Collar Crime. Presented by the Institute of Police Technology & Management. Fee: \$395.

9-13. Tactical Team Operations I. Presented by the Institute of Public Service. To be held in Gainesville, Fla. Fee: \$500.

9-13. Command Post Operations. Pre-

sented by the Institute of Public Service. Fee: \$445.

9-13. Law Enforcement Command Development. Presented by the National Law Enforcement Leadership Institute in cooperation with the Denver Police Department. To be held in Denver. Fee: \$375.

9-20. Traffic Accident Reconstruction. Presented by the Institute of Police Technology & Management. To be held in St. Petersburg, Fla. Fee: \$595.

11-13. Drug Demand Reduction Training. Sponsored by the National Crime Prevention Council and the Bureau of Justice Assistance. To be held in Kansas City, Mo.

11-13. Summer Conference of the National Association for Justice Information Systems. To be held in Park City, Utah. Fee: \$150.

11-13. Crime Prevention for Youth. Presented by the National Crime Prevention Council. To be held in Minneapolis. Fee: \$175.

16-20. Tactical Team Operations II. Pre-

sented by the Institute of Public Service. Fee: \$500.

16-20. Fifth International Symposium on Criminal Justice Issues. Presented by the Office of International Criminal Justice, University of Illinois-Chicago. To be held in Barcelona, Spain. Fee (including round-trip airfare, hotel, meals): \$1,790.

16-20. Criminal Investigation of Occult & Cult-Related Crimes. Presented by Eagle International Network. To be held in Edmond, Okla.

16-20. Advanced Drug Law Enforcement. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$395.

16-20. Homicide Investigation. Presented by the Institute of Police Technology & Management. To be held in Nashville, Tenn. Fee: \$395.

16-20. Police Budgeting. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$395.

Forum: Is justice served by run-on sentences?

Continued from Page 8

also convicted, the county prosecutor, not to be outdone, urged a consecutive sentence which brought the total to 19 years in prison. (The county prosecutor had wanted to try Friedman first and was irritated when the Federal case was tried and resolved before his case.) Jean Harris never faced the reality of the situation in which she found herself; she acted as though she were above the law, and received the sentence she is now serving.

Inordinately long sentences make no sense when prisons are below capacity; they make less sense when prisons are severely overcrowded, as they are now. Taxpayers should not have to foot the bill to advance a prosecutor's ambi-

tions or feeling of irritation. Judges should not use the bench to bolster their own egos or to comply with requests by prosecutors for unreasonably long sentences. Inmates like Bakker, Friedman and Harris make up only a small percentage of the total prison population but their sentences are symptomatic of the unthinking desire of the public for very long sentences.

When sentencing, like other public policies, is subjected to a cost-benefit analysis, the futility of excessively long sentences will become apparent. We cannot afford to crowd our prisons to such an extent that we may have to release truly dangerous felons because our prison system is in violation of the Eighth Amendment.

For further information

Alamo Area Law Enforcement Academy, University of Texas at San Antonio, San Antonio, TX 78285. (512) 691-5655.

Americans for Effective Law Enforcement, 5519 N. Cumberland Ave., Airport P.O. Box 66454, Chicago, IL 60666-0454. (312) 763-2800.

Broward Sheriff's Office Organized Crime Centre, P.O. Box 2505, Fort Lauderdale, FL 33303. (305) 492-1810.

Calibre Press, 666 Dundee Rd., Suite 1607, Northbrook, IL 60062-2727. (312) 498-5680. Center for Criminal Justice, Case Western Reserve University, Gund Hall, 11075 East Blvd., Cleveland, OH 44106. (216) 368-3308.

Criminal Justice Center Police Academy, Sam Houston State University, Box 2296, Huntsville, TX 77341-2296. (409) 294-1669, 70.

Criminal Justice Statistics Association, 444 N. Capitol St., N.W., Suite 600, Washington, DC 20001. (202) 624-8560.

Eagle International Network, P.O. Box 40702, Baton Rouge, LA 70835. (504) 291-6394.

Executech Internationale Corp., P.O. Box 365, Sterling, VA 22170. (703) 478-3595.

Financial Investigators Training Corp., P.O. Box 669, Shelburne, VT 05482. (802) 985-9123.

Institute of Police Technology & Management, University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32216. (904) 646-2722.

Institute of Public Service, 601 Broad St., S.E., Gainesville, GA 30501. 1-800-235-4723.

International Association for Hospital Security, P.O. Box 637, Lombard, IL 60148. (708) 953-0990.

International Association of Asian Crime Investigators, Attn.: Phil Hannum, President, P.O. Box 7221, Falls Church, VA 22046. (703) 241-5053.

International Conference of Police Chaplains, c/o Chaplain David DeRevere, Executive Secretary, Rte. 5, Box 310, Livingston, TX 77351. (409) 327-2332.

Richard W. Kobetz & Associates Ltd., Arcadia Manor, Rte. 2, Box 3645, Berryville, VA 22611. (703) 955-1128.

Law Enforcement Services Inc., Training Division, 3200 Northline Ave., Suite 667, Greensboro, NC 27408. (919) 852-6902.

Metro-Dade Police Department, Training Bureau, Attn.: Sgt. Liz Brown, Course Coordinator, 9601 N.W. 58 St., Miami, FL 33178. (305) 594-1001.

Michigan State Police, Training Academy, Attn.: Sgt. Brian Ray, 7426 N. Canal Rd., Lansing, MI 48913. (517) 322-1200.

National Association for Justice Information Systems, Attn.: Kelly Bacon, Multnomah District Attorney's Office, Room 600, Multnomah County Courthouse, Portland, OR 97204. (503) 248-3105.

National Commission on Correctional Health Care, 2105 N. Southport, Suite 200, Chicago, IL 60614. (312) 528-0818.

National Crime Prevention Council, 1700 K St., N.W., 2nd Floor, Washington, DC 20006. (202) 466-6272.

National Crime Prevention Institute, University of Louisville, Louisville, KY 40292. (502) 588-6987.

National Criminal Justice Computer Laboratory & Training Center, Attn.: Jim Zepp, 444 N. Capitol St., N.W., Suite 606, Washington, DC 20001. (202) 624-8560.

National Criminal Justice Research Institute, Attn.: Professional Survival Seminar, P.O. Box 341, Delafield, WI 53018. (414) 646-4441.

National Institute of Justice, Technology Assessment Program Information Center, Box 6000, Rockville, MD 20850. 1-800-248-2742.

National Intelligence Academy, 1300 N.W. 62nd St., Fort Lauderdale, FL 33309. (305) 776-7500.

National Law Enforcement Leadership Institute, P.O. Box 1715, Safety Harbor, FL 34695. (813) 726-2004.

Office of International Criminal Justice, University of Illinois-Chicago, 715 S. Wood St., M/C 777, Chicago, IL 60612. (312) 996-8420.

Pennsylvania State University, Police Executive Development Institute, 102 Waring Hall, University Park, PA 16802. (814) 863-0262.

John E. Reid & Associates Inc., 250 South Wacker Dr., Suite 1100, Chicago, IL 60606. (312) 876-1600.

Southern Michigan Law Enforcement Training Center, Attn.: Stephen F. Seckler, Training Coordinator, 2111 Emmons Rd., Jackson, MI 49201. (517) 787-0800, ext. 326.

Southwestern Law Enforcement Institute, P.O. 830707, Richardson, TX 75083-0707. (214) 690-2370.

Traffic Institute, 555 Clark St., P.O. Box 1409, Evanston, IL 60204. 1-800-323-4011.

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Drug testing: Panacea? Placebo?

Nudged by the Federal Government, urinalysis drug screening has come a long way in the past few years in terms of quality-assurance and efficiency. But whether or not drug testing can in fact ensure a drug-free workplace is a question that remains unanswered. **Page 1.**



Study haul?

Higher education for police may be in for a booster shot as Congress considers reviving a popular Federal scholarship program. **Page 1.**

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Part-time police are a personnel godsend for some Illinois agencies, but some wish the part-timers were better trained. **Page 3.**

New Column! "Making The Case, An Insider's Look at Police/Prosecutor Relations," written by one of the nation's top prosecutors. **Page 7.**

Forum: Is there a middle ground for drug-war hawks and doves? Find out on **Page 8.**

LEN interview: Lawrence W. Sherman, who has spent half a lifetime conducting operational police research on critical issues. **Page 9.**

Criminal Justice Library: A new book seeks to shed light on the fatal confrontation between a radical group and the Philadelphia police. **Page 13.**